Local Government (Auckland Law Reform) Bill

Summary of Submissions
Executive Summary
Clause by Clause

April 2010

Auckland Governance Legislation Committee

Prepared by the Department of Internal Affairs
Summary of Submissions to the Local Government (Auckland Law Reform) Bill

Table of Contents

Executive Summary............................................................................................................6
Clause 1 Title.................................................................................................................60
Clause 2 Commencement ..............................................................................................61
Clause 3 Purpose .............................................................................................................63

Part 1 Amendments to Local Government (Tamaki Makaurau Reorganisation) Act 2009
Clause 4 Principal Act Amended......................................................................................65
Clause 5 Commencement ..............................................................................................66
Clause 6 Background and Purpose of Act........................................................................67
Clause 7 Outline of Act.....................................................................................................68
Clause 8 Interpretation .....................................................................................................69
Clause 9 Part 2 repealed..................................................................................................70
Clause 10 Governing Body of Transition Agency.............................................................71
Clause 11 Functions and duties of Transition Agency......................................................72
Clause 12 Appointment of electoral officer for October 2010 ........................................78
Clause 13 Appointment of interim Chief Executive for Auckland Council ....................79
Clause 14 Interim Chief Executive may appoint staff and enter into contracts.................80
Clause 15 New section 18A Inserted................................................................................81
Clause 16 Transition Agency may exercise powers under section 18 in certain circumstances.................................................................................................................. .83
Clause 17 Preparation of planning document.................................................................84
Clause 18 New section 19B inserted..............................................................................109
Clause 19 New sections 21A to 21C inserted..................................................................112
Clause 20 New section 26A inserted...............................................................................113
Clause 21 Obligations of existing local authorities in relation to October 2010/ 2011 annual report..............................................................................................................................................114
Clause 22 New sections 29D to 29F inserted..................................................................115
Clause 23 Dissolution of existing local authorities ..........................................................117
Clause 24 New sections 35A to 35L inserted .................................................................118
Clause 25 Schedule .......................................................................................................186
Clause 26 New Schedules 2 to 6 Added ........................................................................187
Clause 27 Principal Act Amended ..................................................................................189
Clause 28 Commencement ............................................................................................190
 Clause 29 New section 3 inserted ..................................................................................191
Clause 30 Interpretation .................................................................................................192
Clause 31 Relationship between the Act and Local Government Act 2002 and Local Electoral Act 2001 ............................................................... 193
Clause 32 Auckland Council established ........................................................................194
Clause 33 Decision - making of Council shared between governing body and local boards ...............................................................................................................................195
Clause 34 Mayor of Auckland.........................................................................................196
Clause 35 Membership of local boards...........................................................................197
Clause 36 New section 11A inserted ..............................................................................199
Clause 37 New section 13A inserted..............................................................................200
Clause 38 Decision - making responsibilities of governing body ....................................201
Clause 39 Decision - making responsibilities of local boards .........................................203
Clause 40 Local board plans ..........................................................................................216
Clause 41 Application of Schedule 7 of Local Government Act 2002.............................222
Clause 42 New sections 32A and 32B inserted..............................................................223
Clause 43 Local Government Commission to determine boundaries of Auckland .........224
Clause 44 Order in Council to give effect to determinations...........................................225
Clause 45 New Parts 4 to 8 substituted ..........................................................................226
Clause 46 New Schedules 2 and 3 added...................................................................... 310
Clause 47 Consequential amendments ..........................................................................311
Clause 48 Repeal of Auckland Metropolitan Drainage Act 1960 ....................................313
Clause 49 Repeal of Local Government (Auckland) Amendment Act 2004 .................314
Clause 50 Disestablishment of Auckland Regional Transport Authority .........................326
Clause 51 Existing regional land transport programme and regional land transport strategy for Auckland continues in effect until 30 June 2012..........................................................327
Clause 52 Disestablishment of Auckland Regional Transport Network Limited
Clause 53 Review of employment provisions
Clause 54 Whether employees entitled to redundancy or other compensation
Clause 55 Obligations in relation to 2010/2011 annual report
Clause 56 Collective bargaining before 1 November 2010 for variation or new collective agreement to come into force on that date
Clause 57 Application of existing collective agreements on and from 1 November 2010
Clause 58 Interpretation
Clause 59 Prohibition on reorganisation of Auckland until after October 2013 triennial general elections
Clause 60 October 2013 triennial general elections to be conducted using First Past the Post
Clause 61 First steps for board established by Part 7 of Local Government (Auckland Council) Act 2009
Clause 62 Moratorium on sale of certain Council property
Clause 63 Existing directors and board members of council-controlled organisations and council organisations
Clause 64 Half-yearly report replaced with 4-month report
Clause 65 Watercare Services Limited treated as local government organisation
Clause 66 Obligations on provider of water services in Auckland
Clause 67 Official Information
Clause 68 Statement of corporate intent
Clause 69 Completion of statement of corporate intent
Clause 70 Reports and accounts
Clause 71 How Watercare Services Limited to set prices
Clause 72 Employees and members of Auckland Council must not be directors of Watercare Services Limited
Clause 73 Restrictions on form and asset ownership of Watercare Services Limited
Clause 74 Watercare Services Limited to administer and enforce Auckland Regional Council Trades Waste Bylaw 1991
Clause 75 Exemption from Takeovers Code in relation to Auckland International Airport Limited shares
Clause 76 Purpose of sections 77 to 80
Clause 77 Interpretation
Clause 78 Council may have rates transition management policy for 3-year period commencing 1 July 2012.
Clause 79 How Council must apply rates transition management policy.
Clause 80 Local Government (Rating) Act 2002 otherwise applies.
Clause 81 District valuation roll.
Clause 82 Council authorised to collect and deal with balance of rating matters for 2010/2011 financial year.
Clause 83 Rates for 2011/2012 financial year.
Clause 84 Targeted rates proposals in 2011/2012 financial year.
Clause 85 Charges on rates.
Clause 86 Rates as security.
Clause 87 Certain matters in planning document prepared by Transition Agency must be replaced by 30 June 2012.
Clause 88 Development Contributions already made or owed.
Clause 89 Initial development contributions policy.
Clause 90 Development contributions for water infrastructure.
Clause 91 Development contributions for transport infrastructure.
Clause 92 Bylaws and Auckland transport systems.
Clause 93 Bylaws about waste.
Clause 94 Bylaws about matters other than Auckland transport system and waste.
Clause 95 Policies.
Clause 96 Statutory warrants relating to transport law.
Clause 97 Statutory warrants relating to law other than transport law.
Clause 98 Fees and charges: regulatory services.
Clause 99 Fees and charges: non-regulatory services.
Clause 100 Standing orders.
Clause 101 Delegations.
Clause 102 Building.
Clause 103 Civil defence emergency management.
Clause 104 Fire authority appointments.
Clause 105 Resource management.
Clause 106 Auckland regional growth strategy.
Clause 107 Appeals against change or variation under Local Government (Auckland) Amendment Act 2004.
Clause 108 Tax ..............................................................................................................464
Clause 109 Waste ........................................................................................................465
Clause 110 Titles to land ..............................................................................................467
Clause 111 Establishment of Pacific and Ethnic Advisory Panels for Auckland .........468
Schedule 1.....................................................................................................................474
New Schedules 2 to 6 added to Local Government (Tamaki Makaurau Reorganisation) Act
2009 ........................................................................................................................... ....474
Schedule 2.....................................................................................................................483
New Schedules 2 and 3 added to Local Government (Auckland Council) Act 2009.....483
Schedule 3.....................................................................................................................489
Enactments amended.....................................................................................................489
Schedule 4.....................................................................................................................517
Provisions that apply to certain employees of Auckland Regional Transport Authority and
Auckland Regional Transport Network Limited...............................................................517
Schedule 5.....................................................................................................................518
Redundancy and compensation provisions that apply to certain employees of Auckland
Regional Transport Authority and Auckland Regional Transport Network Limited. ......518
General Opposition to Auckland Governance Reforms ..............................................519
General Opposition to Northern and Southern Boundaries restructuring .................524
Other points raised in Submissions ...........................................................................525
Amendments suggested to the Local Government (Auckland Council) Act 2009 ..528
Executive Summary

682 submissions were received by the Select Committee on the Local Government (Auckland Law Reform) Bill, (the Bill) including primary and supplementary submissions from affected councils and community boards.

The matters most often raised in submissions related to the functions of local boards, Council-controlled Organisations (CCOs) and the appointment of directors to CCOs, transport management, spatial planning, the Māori Statutory Board, temporary constraints on the application to Auckland Council of other local government legislation, asset sales and privatisation, and Watercare Services Ltd (Watercare). These issues are summarised below.

Local boards

Clause 17 of the Bill requires that the initial planning document prepared by the Auckland Transition Agency (ATA) for the new Council must include an initial allocation of decision-making responsibility for the non-regulatory activities of the Council between the Council's governing body and its local boards.

251 submitters opposed this clause on the grounds that the powers and responsibilities of local boards should be set out in the Bill. The same submissions apply to Schedule 1, new Schedule 2, and clause 1 General requirements of planning document.

Similarly, there were 111 submissions on clause 39 Decision-making responsibilities of local boards. The predominant theme from the submissions was that the Bill does not give sufficient detail about the powers, roles and responsibilities of local boards, their relationship with the governing body of the Auckland Council and CCOs, the allocations and delegations they will hold from the governing body and whether they will be required to operate within the parameters of a regional strategy and policy framework. It was submitted that local boards must be given clear powers to control local issues. It was consistently submitted that all of these matters should be contained in the Bill.

CCOs and appointment of interim directors

Clause 24, new sections 35G and 35H - 279 submitters opposed the ATA establishing further CCOs, primarily on the grounds that decisions on the Council's CCO structure should be made by the elected Council. The same submitters opposed any board appointments being made by Ministers, on the grounds that appointments should be made by the elected Council. Many submitters argued that elected councillors should fill board positions.

The submissions made in relation to new sections 35G and 35H apply also to new section 35I as most submitters on these matters considered decisions on the creation of a new CCO for transport, and the appointment of directors, are the responsibility of elected representatives of the Council.
Other recommendations were that the Auckland Council should have the power to appoint and remove all directors of all CCOs at any time and the power to require all of its CCOs to implement the strategies and policies of the Council including the spatial plan.

**Transport management for Auckland**

Clause 45 introduces a new Part 4 into the Local Government (Auckland Council) Act 2009 to provide for transport management in Auckland. It establishes Auckland Transport as an entity separate from the Auckland Council, responsible for planning and delivering transport activities and exercising certain statutory functions and powers in relation to the Auckland transport system.

There were 243 comments and recommendations provided on this Part, the majority of which were opposed to the establishment of a CCO for transport and recommended that transport management should be an in-house function of the Auckland Council.

**Spatial planning for Auckland**

Clause 45 introduces a new Part 6 into the Local Government (Auckland Council) Act 2009 to require the Auckland Council to adopt a spatial plan for Auckland, the purpose of which is to provide an effective and broad long-term strategy for growth and development in Auckland.

There were 124 submissions received on this Part, the majority of which agreed with the general intent of the provisions, but suggested amendments to further define the parameters of the spatial plan and clarify relationships with other legislation.

**The Māori Statutory Board**

Clause 45 introduces a new Part 7 into the Local Government (Auckland Council) Act 2009 in relation to the establishment and operation of a board promoting issues of significance for mana whenua and Māori of Tamaki Makaurau.

There were 158 submissions on this new Part. A number of submitters were opposed in principle to new Part 7 on the grounds that there should instead be reserved Māori seats on the Council, or on the grounds that the Local Government Act 2002 (LGA) already provides adequately for local authorities to make their own decisions on Māori representation and participation.

Those submitters who made recommendations on the provisions in the Bill raised the matter of board members having voting rights on the council committees they are appointed to, the role of the board in providing advice to local boards and CCOs, and Māori board representation on relevant committees of local boards.

**Constraints on the application to Auckland Council of other local government legislation**

Three clauses in the Bill temporarily constrain the application of local government legislation in respect of the Auckland Council’s preparation for the 2013 general elections.
These are: **clause 45**, **new Part 8**, **new section 83** Review of representation arrangements under Local Electoral Act 2001, which attracted 104 submissions; **clause 59** Prohibition on reorganisation of Auckland until after October 2013 triennial general elections, which attracted 117 submissions; and **clause 60** October 2013 triennial general elections to be conducted using First Past the Post, on which there were 168 submissions.

The common theme in these submissions is that it should be over to the Auckland Council to determine whether a review of representation or organisation arrangements is required prior to the 2013 elections, and whether the electoral system used in 2013 should be First Past the Post (FPP) or Single Transferable Voting (STV), subject to the standard provisions of the Local Electoral Act 2001 and the Local Government Act 2002.

**Asset sales/privatisation**

There were 215 submissions made on **clause 49** Repeal of Local Government (Auckland) Amendment Act 2004, the majority from members of the public opposing repeal of section 28 of that Act in the belief that it opens the way for the privatisation of Ports of Auckland by removing the requirement for an Auckland-wide referendum before the Ports can be sold.

There were 197 submissions on **clause 62** Moratorium on sale of certain Council property the majority of which were opposed in principle to any asset sales without a public referendum, and were concerned that the moratorium would end on 1 July 2012, prior to the 2013 elections.

**Watercare**

**Clause 71** *How Watercare to set prices* provides that until 30 June 2015, Watercare must take into account any policies of, and comply with any directions given by, the Auckland Council in setting the prices of its water and wastewater services.

The clause attracted 201 submissions, primarily from submitters concerned that Watercare will not be subject to Auckland Council policies or directions in setting prices for water after 30 June 2015.

**Clause 73** *Restrictions on form and asset ownership of Watercare* attracted a similar number of submissions from people concerned about the possible privatisation of Watercare after 2015.
Clause by Clause summary

The following provides a clause by clause summary of the comments received in the written submissions.

Preliminary clauses

Clause 1 Title

No submissions were received on this clause.

Clause 2 Commencement

Fifteen submitters asked that the commencement of the Bill be delayed to allow more consultation and consideration. One submitter noted that Parts 2 and 3 of the Bill come into force on 1 November 2010, but clauses 53, 54 and 56 require action to be taken on job offers by the Chief Executive of Auckland Transport or ATA by 30 September. The submitter asked whether there was a timing problem for those clauses.

Clause 3 Purpose

Four submitters expressed support for the purposes of the Bill. Two submitters recommended that the Bill’s purpose be amended to include an overall statement to highlight that the efficient functioning of Auckland Council as a unitary organisation "will be underpinned by a single, integrated structure in which all component parts are aligned and accountable to the elected Council".

Part 1

This Part contains amendments to the Local Government (Tamaki Makaurau Reorganisation) Act 2009, which established the ATA, and set out how existing Auckland local authorities and organisations are to operate during the reorganisation period. **Clauses 4 to 26** amend or impose new requirements on the ATA, set out new obligations on existing Auckland local authorities during the reorganisation period, and set out further matters in relation to the dissolution of the existing councils and their subsidiaries.

Clauses 4, 5, 6 and 7

No submissions were received on these clauses.

Clause 8 Interpretation

The New Zealand Law Society notes that the definition of “selection body” refers to a “body established by clause 2 of Schedule 3”. The intended reference would seem to be to clause 2 of Schedule 3 of the Local Government (Auckland Council) Act 2009, not clause 2 of Schedule 3 of the Local Government (Tamaki Makaurau Reorganisation) Act. The Society recommends that the Committee satisfies itself that the definition is correct.
The Kaipara District Council asks that the definition of Auckland be amended so the Local Government Commission is given the option to consider an adjustment to the northern boundary of the Auckland Council so that governance of the Kaipara Harbour falls within Kaipara District Council.

One submitter suggested a definition of 'regulatory' is needed.

Clause 9 Part 2 repealed

No submissions received on this clause (other than one submitter mistakenly reading this clause as repealing Part 2 of the current Bill).

Clause 10 Governing body of Transition Agency

Two submitters objected to the powers of the ATA, but did not propose any amendments to this clause.

Clause 11 Functions and duties of Transition Agency

This clause adds to the functions and duties of the ATA in respect of waste management and minimisation, the establishment of an Ethnic Peoples Advisory Panel, the establishment of a WDA as a CCO of the Auckland Council, and the initial operation of Auckland Transport.

Waste Management and Minimisation

Ten submissions received on sub-clause 2 (cb), three of which wanted the ATA to consult with current providers in the preparation of options for integrated planning and services. The balance of the submissions is more relevant to what might be contained in the options to be developed (e.g. whether services should be undertaken by the Council, by local boards or by private providers).

Ethnic Peoples Advisory Panel

There were 32 submissions received on sub-clause 2 (cc), the majority of which were that there should be wider involvement in the development of proposals for establishing the Panel, and that the proposals should be considered by the wider Council, not the Mayor alone. Other submissions were that the Panel should be permanent, and its relationship with CCOs and local boards should be defined in legislation. One submitter wanted a definition of “Ethnic peoples” and one wanted a name change for the Panel to Tangata Nui o Aotearoa (the new people of NZ).

Waterfront Development Agency

Four submitters wanted the Auckland Council to make decisions about whether the WDA should be a CCO.
Five submitters opposed Auckland Transport being a CCO, preferring that it be a business unit of the Council.

**Clause 12 Appointment of electoral officer for October 2010 elections**

Two submitters want the clause to apply in Hauraki and Waikato District Councils for those areas transferred from Franklin District, and two submitters want the clause to apply to the Mount Wellington and Otara Licensing Trusts elections.

**Clause 13 Appointment of interim chief executive for Auckland Council**

The clause makes minor technical amendments to section 17 of the principal Act. No submissions relevant to this clause were received.

**Clause 14 Interim chief executive may appoint staff**

One submitter asked that there be a provision requiring the chief executive to consider the role of community volunteers in the Council staffing structure.

**Clause 15 New section 18A inserted**

This clause requires the interim chief executive to make certain arrangements for a single integrated Council rating policy from 1 July 2012. Nine submitters opposed the inclusion of capital value in the clause, primarily on the grounds that it should be left to the Council (in consultation with ratepayers) to decide what valuation system to use, whether capital, annual or land value.

**Clause 16 Transition Agency may exercise powers under section 18**

No submissions were received on this clause.

**Clause 17 Preparation of planning document**

This clause requires that the initial planning document prepared by the ATA for the new Council must include an initial allocation of decision-making responsibility for the non-regulatory activities of the Council between the Council’s governing body and its local boards.

251 submitters opposed this clause on the grounds that the powers and responsibilities of local boards should be set out in the Bill. The same submissions apply to Schedule 1, new Schedule 2, and clause 1 *General requirements of planning document*. Some submitters suggested that at the very least the Bill should require the ATA to consult with the existing local authorities on the initial allocation of responsibilities. The main points in the submissions are:

- the functions and responsibilities should be in the Bill;
- oppose the ATA deciding the functions of local boards;
• if the ATA does retain this role then it should be required to consult with existing councils and/or it should follow principles set out in the Act;
• concern that the Auckland Council will not give enough local functions to local boards through the allocation or delegation processes;
• relationships with CCOs and the Auckland Council should be specified;
• local boards should be adequately resourced; and
• local boards should be able to deal with local issues.

Clause 18  New section 19B inserted

This clause requires the ATA to establish a CCO for Auckland Council, to be known as the WDA.

There were 20 submissions received most of which suggested that more detail be added to the Bill as follows:
• add detail on the role, functions and responsibilities of the WDA and how it will work with the Council and other constituent organisations;
• cover the transfer of Auckland Regional Holdings assets in the Wynyard Precinct to the WDA;
• clarify whether it is ATA who will set the objectives of the WDA and who is responsible for appointing the initial directors;
• provide that the WDA is subject to council planning documents, the spatial plan etc;
• provide that the WDA is not permitted to participate in consent applications outside its own landholdings;
• the membership of the board should include representatives from other CCOs, central government and Ports of Auckland; and
• clarify the jurisdiction of the WDA in respect of the Waitemata waterfront, Westhaven, Devonport, Hobsonville etc.

Five submitters thought the WDA should be a council committee rather than a CCO. Four submitters supported the establishment of the WDA as a CCO but submitted it should be done through the normal LGA process by the new Council.

Clause 19  New sections 21A to 21C inserted

This clause provides for the ATA to appoint an interim chief executive for Auckland Transport, for that chief executive to appoint staff and enter into contracts, and for the ATA to exercise the powers of the interim chief executive in certain circumstances.

There were five submissions on the clause, suggesting:
• that new section 21B(3)(b) be amended to require any contract, lease or other agreement to be consistent with the procurement requirements for the NZ Transport Authority set out in the Land Transport Management Act;
• that “interim” be inserted into new section 21A(1) to avoid confusion;
• that Auckland Council should appoint the chief executive of Auckland Transport, and that new section 21C, which allows the ATA to exercise the powers of the chief executive meanwhile, be deleted.
Clause 20  New section 26A inserted

This clause provides that the ATA is not required to prepare annual financial statements for the year ended 30 June 2010, but must produce financial statements covering the total period of its existence.

Three submissions were received on this clause, primarily to the effect that having to insert new sections into the principal Act indicates the earlier legislation was rushed.

Clause 21  Obligations of existing local authorities in relation to 2010/2011 annual report

The Hauraki District Council has asked that provision be made in the Bill for transitional long term council community plans and annual plans for the Hauraki and Waikato District Councils, similar to the provisions made for the existing Auckland councils.

Clause 22  New sections 29D to 29F inserted

New section 29D sets out common requirements for election signs in Auckland for the 2010 elections. Three councils made submissions on the following matters:

- provisions should allow for the placing of signs on road berms where this is safe, be applied to District Health Boards, Licensing Trusts and any other elections held concurrently, require signs to be located in a way that ensures public safety, and there should be a prohibition on obscuring other candidate’s signs;
- Manukau City Council currently sets sign rules by resolution and not in the bylaw itself, and would like this practice reflected in new section 29D;
- clarify that Part 6 and sections 155 and 156 of the LGA do not apply to the making, amending or revoking of a bylaw or council resolution under this new section;
- clarify that providing for regulation of election signs within the two months prior to the election is not intended to restrict the right to display signs prior to that two month period; and
- provide that “polling day” is replaced by “election day” as per the Local Electoral Act.

New section 29E exempts Rodney District Council and Waitakere City Council from revising their district valuation rolls in 2010. No submissions were received on this matter.

New section 29F requires Auckland Regional Council to ensure sufficient Watercare employees are appointed as enforcement officers before the Council is dissolved.

Six submissions were received on this new section. Two submitters recommended that regulatory enforcement be independent of Watercare, one submitter saw no value in limiting enforcement to present employees of Watercare, and one submitter recommended that all warrants issued by Watercare be deemed to have been issued by the Auckland Council as of 1 November 2010.
Clause 23 Dissolution of existing local authorities

This clause provides that the interests of each existing local authority in any CCO or council organisation become the interests of the Auckland Council.

There were seven submissions on this clause, five of which were made to oppose the sale of public assets. Two submitters asked that Papakura and Franklin District Councils not be dissolved.

The Auckland Regional Council recommended that the clause be extended to allow an existing local authority’s interest in a CCO to be transferred to either the Auckland Council or to a CCO that is wholly owned or controlled by the Auckland Council.

Clause 24 New sections 35A to 35L inserted

New section 35A Schedule 2 of LGA consequentially amended
No submissions were received on this new section.

New section 35B Dissolution of certain CCOs.
There were five submissions received in relation to new section 35B, recommending amendments:

- to ensure that the section can deal effectively with the transfer of assets and liabilities, as well as interests in CCOs, from existing local authorities and CCOs to the Auckland Council and to new and existing CCOs;
- to provide that stormwater assets in Metro Water and Manukau Water transfers to the Auckland Council, not to Watercare. Stormwater assets in the other territorial authorities goes to the Auckland Council;
- to allow for assets of terminating organisations to go to more than one entity;
- to amend 35B(1)(a), to read “all property belonging to, or held in trust by, each terminating organisation…”
- to amend 35B(1)(d), to clarify that it includes taxation assets and liabilities, including tax losses and imputation credits; and
- to ensure provision is made for appropriate dispersal of assets in the event a licensing trust is wound up. The assets should go to the community covered by the licensing trust’s boundary, which is the local board not the Auckland Council.

One submitter recommended that the dissolution of existing CCOs be decided by the new Auckland Council in consultation with local boards.

New section 35C Review of employment positions
A total of 45 submitters opposed new section 35C on the grounds it did not protect the employment rights of staff transferring to another position, and gave the Chief Executive of Auckland Council the right to determine if conditions carried over.

Two submitters recommended that the Bill provide that if no offer of employment is made by 30 September 2010, the employee automatically transfers to the new Council.
Local Government (Auckland Law Reform) Bill

One submitter recommended that the transitional arrangements should also apply to staff moving to the Hauraki and Waikato District Councils.

Two submitters recommended that the Bill should include provision for the retention of all injury prevention positions and programmes.

**New section 35D whether employee entitled to redundancy or other compensation**

Nine submitters reiterated the concerns they had raised under new section 35C.

**New section 35E Obligations of terminating organisation in relation to 2010/2011 annual report**

One submitter recommended that the heading of new section 35E be amended to read “…2009/2010 annual report…” to reflect the text of the section.

**New section 35F Power to amend Schedule 4**

Six submissions relevant to this clause were received.

One submitter asks that all assets (other than water and wastewater assets) are initially vested in the Auckland Council by amending 35F(2) to provide that a receiving entity will always be the Auckland Council (or Watercare for Metro Water and Manukau Water) and amending clauses 50(1)(a) and clauses 52(1)(a) to replace the references to Auckland Transport with references to the Auckland Council.

Four submitters expressed concern that the proposed new section gives powers to identify further CCOs as terminating organisations, and to appoint further organisations as receiving organisations. One submitter wanted greater clarity in 35F(4) around what constitutes local government “ownership” of a CCO and which type of CCO this section would apply to. Submitters recommended that the power to identify further CCOs as terminating organisations should be vested in the Auckland Council, not done by Order in Council.

**New section 35G Order in Council authorising Transition Agency to constitute CCO and**

**New section 35H Minister may appoint initial directors of certain CCOs**

Note: these submissions are considered together as most submitters addressed both new sections in the one submission.

279 submitters opposed the ATA establishing further CCOs, primarily on the grounds that decisions on the Council’s CCO structure should be made by the elected Council. The same submitters opposed any board appointments being made by the Minister, on the grounds that appointments should be made by the elected Council. Many submitters argued that elected councillors should fill board positions.

Some submitters recommended that the Bill limit the type and number of CCOs that can be enacted prior to the establishment of the Auckland Council to those absolutely necessary to enable governance transition. Also that the Bill include a definition of the process for how organisations are selected to be part of a CCO and the consultative process that might be employed by the Auckland Council when the creation of a CCO is being considered.

Other recommendations were that the Auckland Council should have the power to appoint and remove all directors of all CCOs at any time and the power to require all of its CCOs to implement the strategies and policies of the Council including the spatial plan.
Community board submitters were concerned about how the proposed CCOs will interact with each other and the local community. There was concern expressed that local boards will not have the ability to input into any strategies or plans made by the neither CCOs, nor will the CCOs be accountable to the local boards for work done in a local area. They recommended a requirement in the Bill for the CCOs to have in place, by 31 May of the year following an election, a local board agreement stipulating how the local boards and the CCOs will interact and the decision making process that will apply.

New section 35I Minister of Transport and Minister may appoint initial directors of Auckland Transport

The submissions made in relation to new sections 35G and 35H apply also to new section 35I as most submitters on these matters considered decisions on the creation of a new CCO for Transport, and the appointment of directors, are the responsibility of elected representatives of the Council. Variations on that position were:

- the current Auckland councils, rather than the Minister of Transport, should appoint the initial directors;
- an Electoral College from existing councils and community boards should make the appointments;
- the current Mayoral Forum should be consulted on the initial appointment of directors;
- the Auckland Council must be able to appoint a completely new board should it wish to do so; and
- local boards must have a say in appointments, as well as councillors.

One submitter recommended an obligation be placed on directors of Auckland Transport to take into account how decisions will contribute to the achievement of the Council’s objectives and wider strategic intent.

One submitter recommended that the Minister be required to ensure, in appointing directors, that at least some of the appointees have an understanding of land use planning, urban design and economic development, and how transport interacts with these functions, and have experience working with communities on the impact of transport decisions.

New section 35J Vesting of assets etc in Watercare

Thirteen submissions were received in relation to this clause. Five submitters noted that new section 35J (5) specifically excludes stand-alone water supply or wastewater schemes and:

- one recommended a definition of “stand alone” be included;
- two expressed concern that the Bill does not identify any other entity as having management responsibility for such assets; and
- two recommended that these schemes should be owned and managed by Watercare.

One submitter considered it was necessary to ensure that Pukekohe Wastewater Treatment Plant services are fairly managed through negotiation between Watercare and
Waikato, and four submitters opposed the clause on the grounds that it allowed the privatisation of water services.

New section 35K Development contributions already made or owed

Eleven submissions were received on this new section. All submitters emphasised the importance of clear provisions for development contributions transferring to the Auckland Council and the need to ensure the funds are used for appropriate purposes.

Two submitters questioned the terminology used, and recommended the use of the terms “paid”, “made”, “incurred”, and “required”. For example, it was suggested that section 35K(4) should read “required by” rather than “owed to” as the contribution may not have fallen due for payment as at 31 October 2010.

Two submitters noted that the new section does not cover financial contributions and recommended the new section be reworded to include these.

Franklin and Waikato District Councils both asked that specific recognition be given in the new section to the fact that Franklin District’s assets and liabilities will be split between Auckland, Waikato and Hauraki Councils.

New section 35L Chief Executive of Ministry of Pacific Island Affairs must develop proposals in relation to establishment of Pacific Peoples Advisory Panel

There were 29 submissions on this new section, all supportive of the establishment of a Pacific Peoples Advisory Panel. The main issues raised were:

- the importance of consulting the existing councils’ Pacific advisory boards when developing proposals; and
- elected councillors should be involved in considering the proposals once developed, not just the mayor.

One submitter proposed that the Panel should be reconstituted as a statutory board or committee.

Clause 25 Schedule

No submissions were received on this clause.

Clause 26 New Schedules 2 to 6 added

No submissions were received on this clause.
Part 2

This Part covers amendments to the Local Government (Auckland Council) Act 2009 which established the Auckland Council and set out the matters in relation to its structure and functions, duties and powers that differ from the general provisions applying to local authorities under the LGA and other local government legislation. In addition to amending existing provisions of the Act, clauses 27 to 46 insert new provisions for transport management for Auckland, water supply and wastewater services, spatial planning, and the establishment of a board promoting issues of significance for mana whenua and Māori of Tamaki Makaurau.

Clause 27  Principal Act amended

No submissions were received on this clause.

Clause 28  Commencement

No submissions were received on this clause.

Clause 29  New section 3 substituted

This clause repeals the existing Purpose statement in section 3 of the principal Act and replaces it with a new Purpose statement that includes establishing arrangements to promote issues of significance for mana whenua and Māori of Tamaki Makaurau.

Two submitters recommended that the wording should be changed from “to promote” to “advice and decide on”.

Clause 30  Interpretation

Three submitters recommended renaming local boards as “community boards” to better reflect their role.

One submitter recommended a definition of “stand-alone” be inserted as a consequence of the “water supply” and “wastewater services” definitions.

Clause 31  Relationship between this Act and LGA and Local Electoral Act 2001

One submitter recommended this clause be deleted, and section 5 of the principal Act be repealed, on the grounds of opposition to the principal Act prevailing over the other Acts cited.

Clause 32  Auckland Council established

This clause makes a minor technical amendment to section 6 of the principal Act. One submitter recommended a further amendment to section 6 to introduce a statement of the purpose of Auckland Council.
Clause 33 Decision-making of council shared between governing body and local boards

This clause amends section 7 of the principal Act, which sets out the governance structure of Auckland Council. Three submitters recommended additional amendments to section 7 of the principal Act, as follows:

- the Bill should include a governance arrangement requiring Auckland Council and local boards to work collaboratively with CCOs on local activities. The arrangement should allow for local boards to contribute to the development of programmes for transport, economic development, tourism, major events etc;
- the clause should provide stronger signals to the governing body and local boards that social development needs have equal priority to other wellbeing's; and
- there is a need for a statutory requirement for a governance agreement between the governing body and the local boards. Section 40 of LGA 2002 provides a mechanism which does not fit the two-tier governance model for Auckland that also includes arms-length decision-making by CCOs. Clause 33 should include an amendment to refer to a governance agreement as set out in a new schedule Governance Agreements between governing body and local boards.

Clause 34 Mayor of Auckland

There were seven submissions on mayoral powers and responsibilities, the main points being:

- the Mayor of Auckland had too much power, and should have the same powers and responsibilities as the mayors of other local authorities;
- the Mayor should be elected on a second vote system similar to London;
- there needs to be a supportive structure for the Mayor’s involvement in social issues. The legislation should provide strong signals about the importance of improved social policy capability within the council.
- a concern that the Mayor will not be accessible to communities outside the city area; and
- a concern that the Mayor will not be effective because of a lack of oversight of CCOs.

Clause 35 Membership of local boards

Twenty submissions were received on this clause. Ten submitters opposed sub-clause (5) which relates to eligibility as a ratepayer elector in a local board area (the ratepayer franchise). The main points made in relation to sub-clause (5) were:

- submitters opposed the idea that landlords will have increased influence in local body elections as a result of owning multiple properties;
- the clause is unclear on the extent to which residents as distinct from property owners are enfranchised in one or several wards (sic);
- the clause needs to provide that ratepayer electors must at least specifically apply every 3 years to go on the special roll for this purpose;
- in line with the principle of one person, one vote, people should only be entitled to enrol and vote at the place they regard as their home; and
• every eligible voter should only have one vote for the Auckland Council and one vote for the local board area in which they reside.

Other matters raised in relation to membership of local boards were:
• the minimum size of a local board should be five;
• membership of local boards should include Tangata Whenua, Pasifika, and Ethnic community representatives; and
• if councillors are prohibited from sitting on local boards they will lack understanding of local issues.

Clause 36  New section 11A inserted

Three submitters proposed that the clause be amended to make local boards local authorities, and their member’s local authority members, for most purposes and not just for the purposes of sections 43 – 47 of the LGA.

Clause 37  New section 13A inserted

This clause provides that local boards may be the subject of a reorganisation proposal under the LGA.

Four Community Boards and two other submitters made recommendations on the clause, as follows:
• the clause should provide that a reorganisation proposal can only be made following consultation with all affected parties, including the local board, affected communities and the Local Government Commission;
• the clause should be amended to include in possible reorganisation proposals the subdivision of a local board and boundaries, the division of a local board into two or more boards, or for new boards to be created out of two or more boards;
• the Auckland Council should be able to comment on any proposals put forward by boards or by local residents, but it should not be able to act as a filtering, determining or vetoing body; and
• clarify that changes are defined by the Local Government Commission.

Clause 38  Decision-making responsibilities of governing body

This clause amends section 15(1) of the principal Act by providing that the governing body is responsible for decision making in relation to the governance of its CCOs.

Eight submissions were made recommending matters relevant to the decision making responsibilities of the governing body.

One submitter recommended that there should be no legislative restriction on the Auckland Council restructuring its group structure at any time, and that general local government legislation is relied on instead. The submitter recommended that no legislative provision should be made that would constrain the Council’s ability to determine the governance structure it uses in relation to its CCOs.
Other submitters took the opportunity to propose:

- the Auckland Council and its local bodies should be required to hold annual general meetings of ratepayers;
- the Council should form a “local board committee” comprising representatives from councillors and local boards;
- the Council needs to consider the maintenance of “protected areas” in major planning documents;
- the Council should not be able to set up CCOs for core services;
- the Council needs to have a fully-integrated waste minimisation plan;
- a general provision should be included that requires all CCOs to consult with local boards on the scope and priority of works in a local body area; and
- the Council must consult local boards on the development of the Regional Land Transport Strategy and the Land Transport Plan.

Clause 39 Decision-making responsibilities of local boards

There were 111 submissions on this clause. The predominant theme from the submissions was that the Bill does not give sufficient detail about the powers, roles and responsibilities of local boards, their relationship with the governing body of the Auckland Council and CCOs, the allocations and delegations they will hold from the Council, and whether they will be required to operate within the parameters of a regional strategy and policy framework. It was submitted that local boards must be given clear powers to control local issues. It was consistently submitted that all of these matters should be contained in the Bill.

In addition to this predominant theme, submissions were made as follows:

- the Bill’s delegation of the allocation of local board functions to the ATA undermines the democratic process as the ATA is not required to consult the public;
- Waiheke Island residents want their local board to have the power to administer their own resource consents and to have a legislated role in all capital expenditure decisions and planning decisions affecting Waiheke;
- a regional arts and culture strategy is necessary to ensure integrated decision making across the Auckland Council and its boards;
- the Bill needs to ensure there is consistency between local board decisions and Council policy;
- one submitter recommended that the clause adding a duty to collaborate be deleted, leaving local boards with the freedom, but not the requirement, to cooperate and collaborate;
- there should be a provision for local boards to deal direct with CCOs where there is local impact;
- local boards should be required to hold annual meetings of ratepayers;
- a clear procedure is needed for the recommendation of bylaws by local boards to avoid inconsistencies across the city;
- local boards should be allowed to own property;
- the core powers and duties of local boards should be in the legislation, but not a fixed and prescriptive list; and
• amend section 17(2)(b)(iii) of the Local Government (Auckland Council) Act 2009 to read “will significantly outweigh…”, to give more priority to local decisions being made locally.

Clause 40 Local board plans

This clause amends section 20 of the principal Act by clarifying the local revenue sources that may be used to supplement the budget for local board plans.

There were 45 submissions on this clause, 16 of which related to local revenue sources and 29 of which commented more generally on local board plans and their associated budgets.

The main points made in respect of local revenue sources were:

- the criteria that triggers the need for local boards to recommend the raising of local revenue needs to be specified;
- the Bill should be amended to require the Auckland Council to adopt a local revenue source policy outlining the types of activities for which local revenue sources may be used;
- the term “local activity” in sub-clause (2) needs to be defined;
- clarify if the intention is to determine a standard level of service and require a targeted rate for any funding required above the standard;
- targeted rates can leave vulnerable communities isolated and under funded;
- the provision could result in local boards setting varying fees for their area while the Bill is trying to standardise things in Auckland;
- the Bill should specify the range of local revenue sources;
- the Bill should include controls on the use and necessity of targeted rates, fees and charges; and
- wharf charges should be collected by local boards to fund facilities for visitors and the community.

The main points raised on local board plans and budgets were:

- thirteen councils and Community Boards recommended changes to the timing of the completion date for local board plans. Suggested changes were to align the plans with the Long-term community council plans process, or extend from 30 April to either 30 June or 30 September in the year following an election;
- the plan should be supported by bulk funding; and
- section 21(2) of the Local Government (Auckland Council) Act 2009 should be amended to allow the further exception of “the governing body and the local board both agree to the change”.

Clause 41 Application of Schedule 7 of LGA to local boards

This clause makes minor technical amendments to section 29 of the principal Act. One submitter opposed the clause in the context of a general concern about the roles and functions of local boards not being specified in the Bill.
Clause 42 New sections 32A and 32B inserted

This clause extends to local boards the powers of the Minister of Local Government to institute reviews of poor performance by a local authority, or appoint a Commissioner or call an election in cases where a local authority is unable to perform its duties.

Local Government New Zealand (LGNZ) opposed the clause on the grounds that issues of board performance should in the first instance be left to the Auckland Council or Auckland citizens to resolve. LGNZ recommended that the clause be replaced by a provision requiring a special election for local boards if requested by a community petition, representing 10 per cent of registered voters, or a review undertaken on behalf of the Auckland Council.

Clause 43 Local Government Commission to determine boundaries of Auckland

This clause makes a minor technical amendment to section 33 of the principal Act. Several submitters took the opportunity to seek changes to Auckland boundary decisions, and to query ward boundary matters within the jurisdiction of the Local Government Commission.

Clause 44 Order in Council to give effect to determination

This clause makes minor technical amendments to section 35 of the principal Act. No submissions were received.

Clause 45 New parts 4 to 8 substituted

This clause repeals Part 4 of the principal Act and substitutes new Parts 4 - 8.

**New Part 4: Transport management for Auckland**

This new Part introduces new sections 37 to 48 into the principal Act to provide for transport management in Auckland. It establishes Auckland Transport as an entity separate from the Auckland Council, responsible for planning and delivering transport activities and exercising certain statutory functions and powers in relation to the Auckland transport system.

There were 243 comments and recommendations provided on this Part. The main points raised in submissions were:

**New section 37 – Interpretation**

- the definition of “Auckland transport system” lacks the necessary precision to enable a clear allocation of functions and responsibilities between Auckland Transport, Auckland Council, and local boards, and the inter-relationships are not clear;
- the Bill should clarify responsibilities for pathways, walkways and public access areas;
- local transport issues such as footpaths, local roads, local public transport and local traffic improvements should be dealt with by local boards; and
- parking facilities, and park and ride facilities should be the responsibility of Auckland Transport rather than individual local boards.
New section 38 – Establishment of Auckland Transport

- the majority of submitters on this new Part were opposed to the establishment of a CCO for transport. Submitters considered that Auckland Transport should be an in-house business unit of Auckland Council, fully accountable to the Council;
- some submitters considered that land use and transport planning and delivery needed to be managed by the same organisation as the two issues are strongly related;
- Auckland Transport functions must be controlled by elected councillors; and
- some submitters recommended an early review of the CCO arrangements by Auckland Council.

New section 39 – Objective of Auckland Transport

- the objectives should include: contributing to the economic, environmental, cultural, and social well-being of Auckland;
- giving effect to the strategic objectives of the Auckland Council as set out in the spatial plan and regional land transport strategy; or
- contributing to the effective and sustainable integration of land use and transport.

New section 40 – Status and powers of Auckland Transport

- Auckland Transport should not be granted a power of general competence;
- the transport agency should seek Auckland Council approval before entering into transactions related to the establishment or disposal of assets;
- accountability arrangements must be consistent with those for Crown agents.

New section 41 - Functions of Auckland Transport

- local transport issues should be dealt with by local boards as part of their legislated duties. Delegations must come from Auckland Transport to local boards;
- Auckland Transport should jointly manage all state highways and railways in Auckland with NZTA and KiwiRail;
- amend clause 41(a) to require Auckland Transport to prepare an Regional Land Transport Programme which gives effect to the objectives of the Council as set out in the spatial plan and the Regional Land Transport Strategy;
- amend clause 41(e) so that it refers to “transport-related” functions;

New section 42 – Functions and powers of Auckland Transport acting as local authority or other statutory body

- some of the bylaw making power may not be appropriate for Auckland Transport. There should be a provision similar to that for Watercare, e.g. Auckland Council has the bylaw making power but Auckland Transport can propose a bylaw and consult on it with the approval of the Council;
- there is no provision to allow local boards to propose bylaws to Auckland Transport and ensure they are formally considered;
- the reference to tolling schemes should be deleted as road tolling is an unfair and inefficient road funding mechanism;
• there is a concern that transport-specific bylaws will transfer to Auckland Transport; and
• add a further paragraph to 42(1) to enable Auckland Transport to perform the functions and powers of a road controlling authority under any rules made pursuant to section 157(a), (e) or (f) of the Land Transport Act 1998.

New section 43 – Council prohibited from exercising powers and functions conferred on Auckland Transport under section 42
• Auckland Council should be making the decisions and have the ultimate authority to resume powers initially conferred on Auckland Transport;
• this clause will allow unelected persons to control transportation and utilities;
• 43(2) envisages a subsidiary delegating to its principal; and
• Auckland Transport should be allowed to delegate local transport issues to local boards.

New section 44 – Operating principles
• concern at the lack of coordination between local boards, Auckland Council and Auckland Transport;
• amend 44(a) to read “exhibit social, environmental, cultural, and economic responsibility”;
• add a further paragraph to provide that Auckland Transport must give effect to Auckland Council’s strategic direction and spatial plan;
• add a requirement to “establish and maintain processes for the public and local boards to contribute to its decision making processes, including provision for public meetings”; and
• add a requirement to consult with local boards over local roading and public transport matters, and to delegate decisions to local boards on these matters.

New section 45 – Governing body of Auckland Transport
• new section 45(2)(a) (which allows the appointment of 2 councillors to the board of directors) appears to contradict new section 76 which prohibits the Council from appointing councillors as directors of substantive CCOs;
• the major concern is the majority of the board is appointed and cannot be councillors. Suggestions include increasing the number of elected councillor members, the Auckland Council appointing the chair and deputy, and appointing a non-voting member from Kiwi Rail;
• current Auckland councils should appoint the directors, not Ministers;
• amend 45(2)(b) to provide that the person nominated by the NZ Transport Agency must be a director of that agency. Another submitter recommended deleting the requirement for a nominee from the NZ Transport Agency; and
• to provide clear accountability the chair, and possibly the deputy, should be appointed by the Auckland Council with the approval of the Minister of Transport.
New section 46 – Restriction on borrowing

- the Bill should be amended to require the transport agency to seek approval from the Auckland Council before it enters into any transaction which relates to the establishment or disposal of subsidiaries, securities, borrowing, guarantees, indemnities etc and related transactions that have the potential to create unbudgeted liabilities or commitments for the Auckland Council;
- another submitter recommended new section 46 is removed.

New section 47 – Application of certain Acts to Auckland Transport

- Part 7 of the Local Government Official Information and Meetings Act 1987 should apply to all meetings of Auckland Transport.

New section 48 – Schedule 2 applies to Auckland Transport

Refer to submissions under Schedule 2.

New Part 5: Water supply and wastewater services for Auckland

This new Part sets out the functions, duties and powers of Auckland water organisations.

There were 42 comments and recommendations provided on this Part. The main points raised in submissions were:

New section 49 – Obligations on Auckland water organisations

- one submitter strongly supported Watercare having a robust business plan and SOI that provides for a pricing structure that is competitive but at the same time enables retention of sufficient funding for long-term maintenance, upgrade and capital improvements. New section 49 may need clarification in that regard;
- the statutory obligation to charge minimum prices should be removed. Underpricing of services leads to over-consumption and waste;
- the prohibition on the payment of a dividend by Watercare should be removed. Dividend policy should be a matter for the board of Watercare and the Auckland Council;
- the Auckland Council should not be allowed to guarantee the borrowings of Watercare or provide loans on non-commercial terms;
- Auckland water organisations should have to comply with policies and directions of the Council;
- new section 49 should be amended to provide for Watercare to set aside a small proportion of their revenue for the restoration of damage done to cultural wellbeing, to assist mana whenua to re-establish cultural services near affected places;
- there should be an additional sub-section in 49(1) to provide that water services are to be provided and maintained with regard to public safety and the prevention of drowning; and
- Watercare should have responsibility for stormwater management.

New section 50 – Auckland water organisation may propose bylaw
amend 50(1) to provide that water organisations can also propose bylaws about water for fire fighting purposes and trade waste.

**New section 51 – Auckland water organisation must consult on proposed bylaw**
- new section 51 needs to be expanded to clarify the procedure to be followed by the governing body;
- bylaws should be developed entirely by the Auckland Council for democratic accountability and transparency.

**New section 52**
No submissions were received on this new section.

**New section 53 – Construction of works on private land and roads by Auckland water organisation**
- the Bill should be amended to provide that it and the Local Government (Auckland Council) Act and the Local Government (Tamaki Makaurau Reorganisation) Act are all subject to the provisions of the Electricity Act, the Gas Act, the Telecommunications Act, the Infrastructure Bill (as eventually enacted) and subsequent amendments to these acts;
- omit sections 53 to 59. Watercare should not be given special powers that are not also given to other utility operators. If these provisions are retained they should be consistent with the time periods in the Infrastructure Bill and relevant Code of Practice;
- recommends the term "gas" replaced with "wastewater services".;
- the water organisation should not be able to open the road and alter the position of other gas or water pipes as provided in this section; and
- suggests that new section 53(3) be amended to require that the water organisation operates within the provisions of the national code of practice for utilities working in the roads as specified in the Utilities Access Bill.

**New section 54 – Notice requirement**
- The clause 54 notice provisions are inconsistent with those of the Code and the schema of the Infrastructure Bill where all parties using the road are to be kept informed of upcoming works. Clauses 53 and 54 should be rewritten to conform to the intent and content of the Infrastructure Bill and the Code which it provides for. In particular, the Bill should not provide the water organisation with any greater or lesser powers than that provided for through the Infrastructure Bill and its supporting Code.

**New section 55 – Auckland water organisation to be notified of conditions**
- Notification provisions in the Bill should be consistent with those in the Infrastructure Bill.

**New section 56 – Failure to notify conditions**
- Notification provisions in the Bill should be consistent with those in the Infrastructure Bill.
New sections 57 and 58
No submissions were received on these new sections.

New section 59 – Appeals by Auckland water organisation to District Court
- the possibility of a CCO taking its owner to Court will do nothing to inspire public confidence in the good governance of the city.

New section 60 – Abatement of nuisances created by Auckland water organisation
- clarify the relationship with the similar nuisance provisions in the Health Act, and which one prevails.

New section 61 – rating of certain land owned by Auckland water organisation
- five submitters opposed this section on the basis that Watercare should pay rates on the same basis as anyone else. One submitter supported the section.

New section 62 – Powers of Auckland water organisation
- include a provision that the powers in section 468 of the Local Government Act 1974 and the obligations in section 647 and 648 of that Act apply to an Auckland water organisation; and
- omit (d) and (e) so that the powers relating to private drains in sections 461 and 462 of the Local Government Act 1974 sit with the Auckland Council.

New sections 63, 64 and 65.
No submissions were received on these new sections.

New Part 6: Spatial planning for Auckland

This new Part requires the Auckland Council to prepare and adopt a spatial plan for Auckland, the purpose of which is to provide an effective and broad long-term strategy for growth and development in Auckland.

There were 124 submissions received on this Part.

New section 66 - Spatial plan for Auckland
Twenty-six submitters opposed the replacement of the current provisions for an Auckland Regional Growth Strategy with a spatial plan, on the grounds that the spatial plan is not made subject to the provisions of the Waitakere Ranges Heritage Area Act 2008. This concern links to similar submissions made in respect of Schedule 3, Part 2 (Waitakere Ranges Heritage Area Act 2008).

The majority of submitters agreed with the general intent of this new section, but suggested amendments to further define the parameters of the spatial plan, as follows:
- the plan should include arts, cultural and heritage infrastructure; it should include social and environmental outcomes as well as economic growth; there should be reference to the four wellbeings in the Bill;
- the plan needs to include provisions for ensuring sustainable development;
- it should provide for the protection and enhancement of ecological areas, ecosystems, and recreational areas;
• the plan should include transport planning, and cover how shipping, rail and road networks integrate;
• it should take into account urban design and the specific characteristics that make up the unique areas of Auckland;
• it should recognise the specific town planning needs of the rural areas in Franklin and Rodney;
• it should include mechanisms for the involvement of children and young people, consistent with UNICEF’s Child Friendly Cities initiative;
• CCOs must be required to implement the spatial plan;
• the clause should provide a time frame for the plan, with a view to adoption by the Council prior to the 2013 elections;
• strengthen provisions to involve community and private sector participation, and the involvement of tangata whenua and local boards;
• the plan should have statutory status in terms of the Resource Management Act 1991 (RMA);
• the clause should be deleted and spatial planning for Auckland should be addressed through the review of the RMA;
• clause 66(3)(j) should be deleted until a thorough analysis is undertaken of the appropriate legal status of the spatial plan and the implications for other planning instruments;
• clause 66(3)(i) should be amended to provide that a function of the spatial plan is to identify outstanding natural landscapes that should be protected from development;
• clause 66 should be amended to include reference to the metropolitan urban limit, to avoid urban sprawl and to protect peri-urban areas;
• the Council needs to recognise and integrate the Hauraki Gulf Marine Park Act into all policy, strategy and long-term plans;
• some submitters wanted a separate spatial plan for the Gulf Islands; and
• call it the Auckland Plan, rather than the spatial plan.

New Part 7: Board promoting issues of significance for mana whenua and Māori of Tamaki Makaurau

This new Part relates to the establishment and operation of a board promoting issues of significance for mana whenua and Māori of Tamaki Makaurau.

There were 158 submissions on this new Part.

A number of submitters were opposed in principle to new Part 7 on the grounds that:
• there should instead be reserved Māori seats on the Council;
• it is unnecessary, as Māori have as much opportunity to be elected to the Council as anyone else; and
• the LGA provides for local authorities to make their own decisions on Māori representation.
New section 67 – Establishment and purpose of board
- amend new section 67(1) so that the purpose of the board is consistent with the purpose of local government as defined in the LGA, “to promote the wellbeing of communities”;
- change the word “issues” in 67(1) to “matters”; and
- the board should have committee status.

New section 68 – Board’s name
- there should be a provision that the board must publicly notify any change of name as soon as practicable.

New section 69 – Board’s general functions
- board members should have voting rights on the council committees they are appointed to;
- change the word “issues” in 69(b) to “matters” or “areas of interest”; and
- add that the Māori board also has a role in advising CCOs and local boards.

New section 70 – Board’s specific functions
- at least two members of the Māori Statutory Board should be entitled to sit on any council committee where they believe Māori interests may need to be safeguarded, and they should have a vote each; that includes committees that deal with social, community, and cultural matters;
- the provisions of new section 70 (1) should also apply to local board committees that deal with the management and stewardship of natural and physical resources; add reference to local boards in subsections 70(1), (2) and (3).

New section 71 – Board’s powers
No submissions were received on this new section.

New section 72 – Auckland Council information provided to board
- the NZ Law Society notes that new section 72(1)(b) refers to information that the Auckland Council holds, “as that term is used in the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993”. The two statutes contain slightly different provisions setting out when information is held by an agency, and the Society asks whether the “and” linking the titles of the two statutes is intended to be disjunctive. The Society recommends the intended meaning is clarified;
- the NZ Law Society notes that new section 72(2) refers to decisions on whether or not subsection (1)(b) and (c) apply, without stating who will be making such decisions. It is clear from 72(3) that it is contemplated that the Auckland Council will be making such decisions, but not whether the board will also be – or example, if the Auckland Council does not turn its mind to the issue. The Society recommends the matter is clarified.

New section 73 – Auckland Council’s duties to board
- the Council should be required to take account of the board’s advice; and
the board needs to be allocated adequate funding for hiring staff, for board meetings, and travel costs; the board’s budget should be set on a three yearly cycle.

New section 74 – Schedule 3 applies to board
Refer to submissions on Schedule 3.

New Part 8: Miscellaneous

This new Part relates to miscellaneous functions, powers and duties of the Auckland Council. Submissions made the following points.

New section 75 – Council may impose additional accountability requirements on substantive CCO

- the Bill should clearly require all CCOs to have a consistent and robust Statement of Intent framework setting out accountability arrangements with Auckland Council covering: the nature and scope of the CCOs activities; the outcomes, objectives and outputs of the organisation; and the performance targets and other measures by which each CCO may be judged (by Auckland Council and the wider community) in relation to its outcomes, objectives and outputs;
- the SOI should comply with Schedule 8 of the LGA and include a shared narrative setting out Council's overall objective and some guiding principles;
- there must be a provision for public attendance and input into CCO meetings;
- the SOIs of CCOs must take into account priorities agreed with local boards;
- amend 75(1)(b)(ii) so that a substantive CCO need only have $2 million in assets to be defined as a substantive CCO;
- make all the requirements of 75(2) mandatory;
- delete 75(3), as Auckland Transport should be required to adopt a plan under subsection (2)(c);
- change from quarterly reporting against the SOI to 6 monthly;
- CCOs should develop 30 year infrastructure strategies supported by 10 year asset management and investment plans, which align with the spatial plan; and
- provide for the preservation of records and archives, held by existing Auckland councils and CCOs, under the new Auckland governance structure; require CCOs to "report annually with regards to compliance with sections 27 and 40 of the Public Records Act 2005".

New section 76 – Councillors prohibited from appointment as directors of substantive CCOs

- 90 submitters expressed opposition to councillors not being directors of CCOs, most wanting a majority of councillors on CCO boards;
- six submitters thought it should be left to Auckland Council to decide its own policy on the appointment of councillors to the boards of CCOs;
- five submitters supported the new section as they considered appointment of councillors as directors could raise conflict of interest issues;
two submitters considered members of local boards should also be prohibited from being appointed as directors of CCOs.

New section 77 – Disputes about allocation of decision-making responsibilities, proposed bylaws, or local board agreements
Most submitters on this new section supported its intent, but want the Local Government Commission to be resourced to carry out the job. There is some concern that the budget cycle will not allow enough time for the Commission to make a decision, and that use of local board budgets will dissuade boards from using the process. Submissions made the following points:

- the onus should be on local boards and the governing body resolving issues themselves, rather than relying on external parties to referee disputes;
- consider including a duty to cooperate. Further consideration should be given to whether all disputes are referred to the Local Government Commission as an independent arbiter;
- omit (1) (b) and (c) so that dispute resolution does not apply to disputes about local board agreements or about decisions to refuse proposed bylaws. Also, insert a new provision that enables the governing body to make the final decision about what matters to include in a local board agreement or a bylaw;
- the provision of a process to resolve disputes is an insufficient response to the lack of allocation of powers and responsibilities to local boards in this Bill;
- many disputes will be budgetary and the tight time frames of these processes will not give time for the disputes process to work. Also this could result in budgets being set by a small group of officials appointed by the government. This would undermine the relationship between councillors and voters;
- amend the Bill to stipulate a time-frame for resolving disputes and to ensure that dispute resolution costs are not apportioned to local boards;
- where a dispute has to go to arbitration the costs for such an action should be borne by the Auckland Council out of the City General Pool rather than from the limited board resources; and
- there should be a similar clause for a disputes process between CCOs and local boards.

New section 78 – Local government Commission to determine disputes
- the Local Government Commission should be obliged to meet with the parties before reaching its determination on any dispute about allocation of decision-making responsibilities, proposed bylaws, or local board agreements;
- include in 78 (4) provision for contingency funding for local boards for costs incurred in taking dispute proceedings; and
- the Bill should detail dispute procedures and mechanisms for ensuring priority is give to local opinion in resource allocation and spatial planning.

New section 79 – Local Government Commission may delegate duty to determine dispute
- one submitter proposed that any disputes should be heard by all Commissioners.

New section 80 – Development contributions for transport infrastructure
• the new section should be amended to require Auckland Council to transfer development contributions to Auckland Transport to part fund transport infrastructure expenditure;

• the cost of infrastructure associated with managing the growth of Auckland should be spread over the entire city, with the local natural growth being covered as is at present;

• the provision in the bill empowering Auckland Transport to impose development contributions should be deleted. Development contributions should not be extended to fund spending undertaken by CCOs; and

• provide that Auckland Council is responsible for the setting and collection of development contributions which it may use to recover the growth related costs otherwise borne by ratepayers.

New section 81 - Development contributions for assets managed by other parties

• the words "For the avoidance of doubt" could be inserted at the beginning of the section;

• some assets will transfer to Watercare and will no longer be "owned" by Auckland Council, while other assets will only be managed by Auckland Transport. Asset ownership is not aligned;

• recommend that the section refers to "council-controlled" reserves, network and community infrastructure, rather than "council-owned";

• amend to provide that the Auckland Council can require development contributions for capital expenditure incurred by CCOs, and, where relevant, that the council must pass those development contributions on to the relevant CCO, which must use the development contributions for the purposes for which they were collected;

• provide that no tax obligations will arise from any transfer of development contributions from the Auckland Council to any of its CCOs; and

• amend clause to include roading financial contributions.

New section 82 – Prohibition on establishment of community boards

• two submitters considered there should be provision for democratic structures at an even more local level than local boards.

New section 83 – Review of representation arrangements under Local Electoral Act 2001

New section 83 attracted 104 submissions, predominantly opposed. The main points raised were:

• the Government has been unable to prove that the boundaries and composition of wards and local boards are what people want. A freeze on changes is undemocratic;

• Auckland Council should be able to determine when a review of representation arrangements is appropriate, within the constraints of the Local Electoral Act 2001;

• the ward boundaries for the Auckland Council need to be reviewed by the Local Government Commission as the different size of population from ward to ward is undemocratic; and

• amend 83(3) to provide that the Local Government Commission may change the number of local board members or alter the subdivision within a local board area,
and in doing so must take into account the matters set out in section 34(2) of the Local Government (Auckland Council) Act 2009.

**New section 84 – Auditor-General to review Council’s service performance**

- the section should specify the frequency, duration and focus of audit reviews as well as public consultation processes;
- the Auditor General must ensure that the new Auckland Council structure delivers savings of 15 per cent on existing arrangements;
- the Auditor General’s report must be made public as soon as presented to the Auckland Council;
- reviews of the Auckland Council should be against desired performance, outcomes achieved as well as financial performance;
- the service performance of the CCOs should not be reviewed “from time to time”; the reviews should be conducted at a minimum of every 2 years;
- to avoid “we only report what we can measure”, define the function of the Auditor General review to include the effectiveness of the Auckland Council or CCO’s performance;
- a provision requiring the Auditor General to give weight to any request from the public for a review would strengthen this public accountability mechanism;
- the Auditor-General should develop and annually review specific levels of service and performance targets for the water organisation, having regard to international best practice; and
- review the brief of the Auditor-General should be wider. It is important that the implementation of the governance reforms is measured and assessed in order to establish that improvements have been made and continue to be made. Section 84(1) should be amended to read:
  - “84(1) The Auditor-General must, before 1 January 2014 and from time to time, review the improvements in service performance, cost effectiveness, value for money, and the policy performance of the Council and each of its CCOs.”

**New section 85 Council employee elected to local board must resign before taking up position**

No submissions were received on this new section.

**Clause 46 New Schedules 2 and 3 added**

Refer to submissions under Schedule 2, which adds new Schedules 2 and 3 to the principal Act.
Part 3

This Part covers clauses 47 to 111 and deals with amendments, repeals, savings, transitional provisions and related matters.

Clause 47 Consequential amendments

Refer to submissions on Schedule 3.

Clause 48 Repeal of Auckland Metropolitan Drainage Act 1960

No submissions were received on this clause.

Clause 49 Repeal of Local Government (Auckland) Amendment Act (LGAAA)

There were 215 submissions made on this clause, the majority from members of the public opposing repeal of section 28 of the Act on the grounds that it opens the way for the privatisation of Ports of Auckland by removing the requirement for an Auckland-wide referendum before the Ports can be sold.

Submissions from Auckland councils and Auckland Regional Holdings were:

- amend clause 49(2) (b) that disestablishes the Auckland regional land transport committee and section 105 of the Land Transport Management Act. Changes to representation on regional land transport committees should be undertaken through a review of the Land Transport Management Act, not through the Auckland governance reform process;
- clause 49(2)(d) provides that Auckland Regional Holdings will continue as a CCO of the Auckland Council but it does not contain any mechanism to enable this clear intention to be implemented;
- clause 49(2)(d) should be deleted, allowing the status of Auckland Regional Holdings to be resolved through the ATA process, which will provide a mechanism for the transfer of assets and liabilities as required;
- Schedule 5 of the LGAAA provides a useful guide to achieving integration of transport and land use planning in the Auckland region. In the early stages of developing a spatial plan for Auckland, it would continue to provide guidance. Suggest amendment to clause 49 to have Schedule 5 continue in force and that it must be taken into account in preparing a spatial plan for Auckland;
- sections 38-43 of the LGAAA and its Schedule 5 relate to Plan and Policy Statement changes which are still live, and should be retained in order to give certainty to process and scope. Clause 49 should be amended appropriately; and
- Auckland Regional Council recommends that the Bill is amended to ensure that strategic assets can only be sold following public consultation.
Clause 50 Disestablishment of Auckland Regional Transport Authority

Four submissions were received on this clause, the main points of which were:

- the transfer of wharves will be inconsistent as North Shore City Council own its wharves and so those assets will transfer to the new Auckland Council. However, wharves owned by the Auckland Regional Transport Authority will transfer to Auckland Transport;
- the disestablishment occurs too early - it should occur after Auckland Transport is operational; and
- amend this clause to set out ownership and control arrangements to provide for the consistent ownership transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets.

Clause 51 Existing regional land transport programme and regional land transport strategy for Auckland continues in effect until 30 June 2012

Two submitters proposed as follows:

- having the current strategy and programme remain in effect until 2016 and 2013 respectively will hamstring the efforts of the new Auckland Council to effect change in delivering transport services and investments. The current strategy should be extended until 2012 to allow the new Council to prepare and consult on its own strategy; and
- amend clause 51(1) (b) by adding "or until a successor programme is approved by the Auckland Council" and amend clause 51(2) by adding "or until a new strategy is adopted".

Clause 52 Disestablishment of Auckland Regional Transport Network Limited

Two submitters proposed as follows:

- amend this clause to set out ownership and control arrangements to provide for the consistent transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets;

Clause 53 Review of employment provisions

There were ten submissions on this clause, the main points of which were:

- amend the section to provide that Auckland Regional Transport Authority (ARTA) and Auckland Regional Transport Network Limited (ARTNL) employees become subject to exactly the same procedures as employees of existing local government organisations in Auckland;
- in 53(4)(c)(iii) add with respect to current council employees "any less favourable terms and conditions may not come into force until at least 6 months after an employee is transferred to the Auckland Council or one of its CCOs"; and
• should be amended to reflect that there is no intention for a chief executive to make unilateral binding decisions in relation to the terms and conditions of staff that are transferred to the new organisations.

Clause 54 Whether employees entitled to redundancy or other compensation

The Auckland Regional Transport Authority submitted that the Bill should be amended to provide for existing ARTA and ARTNL staff to be transferred directly to Auckland Transport.

Clause 55 Obligations in relation to 2010/2011 annual report

One submitter suggested amending the heading of this clause to "Obligations in relation to the 2009/2010 annual report", as the clause refers to this year rather than 2010/2011.

Clause 56 Collective bargaining before 1 November 2010 for variation or new collective agreement to come into force on that date

The PSA and NZ Council of Trade Unions submitted that:

- additional wording is required in clause 56(2) to enable effective collective bargaining before 31 October 2010;
- the relevant unions may initiate bargaining at any time notwithstanding that section 41 of the Employment Relations Act 2000 provides that they may not initiate bargain earlier than 60 days before the expiry of an existing collective agreement; and
- stipulate that the provisions of the Employment Relations Act continue to apply and that new employees will have the protections under section 62 of the Employment Relations Act.

Clause 57 Application of existing collective agreements on and from 1 November 2010

There were four submissions on this clause, as follows:

- amend 57(2)(b) to clarify that new employers will be bound by the collective agreement;
- the clause should apply to staff in Hauraki and Waikato District Councils;
- the ATA and new employers should be required to provide existing staff with current conditions; and
- clause 57(4) is intended to limit the application of clause 57 to those collective agreements which have not been agreed under clause 56 processes. The wording is not clear.

Clause 58 Interpretation

No submissions were received on this clause.
Clause 59  Prohibition on reorganisation of Auckland until after October 2013 triennial general elections

Clause 59 attracted 117 submissions, predominantly raising similar points to those raised in respect of clause 45, new Part 8, new section 83:

- the Government has been unable to prove that the proposed boundaries, wards and local board areas are supported by residents and the freeze is anti-democratic;
- the new Auckland Council should have the right to redraw the city boundaries to reflect the various communities of interest;
- want to retain the right to address the possible anomaly of part of Waikato District bisecting what will probably be the boundaries of Hauraki District;
- Rodney District Council requests that the moratorium on reorganisation proposals be reduced to 18 months;
- the option for Waiheke to leave the Auckland Council and join with Thames/Coromandel should remain open; and
- the clause withholds rights under the LGA from one third of New Zealanders for three years because they live in Auckland.

Clause 60 October 2013 triennial general elections to be conducted using First Past the Post

168 submitters opposed this clause on the grounds that it denies Aucklanders the right to opt for a more proportional system for a further 3 years.

Clause 61 First steps for board established by Part 7 of Local Government (Auckland Council) Act 2009

Three submissions relevant to the clause were received:

- two submitters proposed that clause 61(5) should be amended to have the remuneration of board members determined by the Remuneration Authority, as it does now for Community Boards, and not by the Auckland Council; and
- one submitter proposed that the Higher Salaries Commission should determine salaries, not the Auckland Council.

Clause 62 Moratorium on sale of certain Council property

There were 197 submissions on this clause, the majority of which contained the following:

- opposition in principle to any asset sales without a public referendum supporting the sale;
- concern that the proposed moratorium would end on 1 July 2012, prior to the 2013 elections;
- Aucklanders should be able to have their say on asset sale proposals at the 2013 elections; and
- the moratorium should continue until Aucklanders decide otherwise.

In addition to these main themes, submissions were made as follows:
clarify that the moratorium does not prevent the transfer of assets between the Auckland Council and its CCOs;

- amend 62(1)(c) to $2 million, as $250,000 would not trigger the Significance policies of any of the existing Auckland councils; and

- amend to ensure that those properties subject to s40 in the Public Works Acts 1981 be excluded from the moratorium.

Clause 63  Existing directors and board members of CCOs and council organisations

No submissions were received on this clause.

Clause 64  Half-yearly report replaced with 4-month report

No submissions were received on this clause.

Clause 65  Watercare treated as local government organisation

There were 52 submissions on this clause, primarily by submitters taking the opportunity to oppose any future privatisation of water services. Submissions relevant to the clause were:

- Auckland Regional Council recommended that Watercare becomes a CCO from 1 November 2010, and that clauses 65 to 70 be deleted;

- the Local Government Forum submitted that Watercare should be established as a council-controlled trading organisation, on the same basis as the Government’s SOEs.

Clause 66  Obligations on provider of water services in Auckland

There were 39 submissions on this clause, primarily by submitters taking the opportunity to express concerns about the accountability of Watercare to the Council and to ratepayers, and the possibility of future privatisation. Submissions relevant to the clause were:

- Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015;

- decision making processes must remain transparent after June 2012;

- the clause is inconsistent with the reporting requirements that will apply to (the other) CCOs; and

- to help build public confidence that effective scrutiny and governance direction will sit with Auckland Council, strengthen the information and reporting requirements.

Clause 67  Official Information

There were 163 submissions on clause 67, with most submitters interpreting the clause to mean that Watercare would not be subject to Parts 1 to 6 of the Local Government Official Information and Meetings Act 1987 after 30 June 2012. The one submission relevant to the clause was:

- Watercare should also be made subject to Part 7 of the Local Government Official Information and Meetings Act 1987.
Clause 68 Statement of corporate intent

Submissions relevant to the clause were:
- the provisions for Watercare's SOI should be assessed to ensure consistency with the SOI principles and alignment with the SOI provisions in the LGA;
- the clause is inconsistent with the reporting obligations that will apply to (the other) CCOs;
- amend 68(2) to provide that a draft statement of corporate intent must be provided on or before 1 March each year;
- the statement of corporate intent needs to reflect social and environmental responsibilities;
- add after 68(3)(e) "the guaranteed minimum standards of service and the specified level of payment to the customer affected where failure to deliver occurs."

Clause 69 Completion of statement of corporate intent

Submissions relevant to the clause were:
- the clause is inconsistent with the reporting obligations that will apply to (the other) CCOs.

Clause 70 Reports and accounts

Submissions relevant to this clause were:
- the clause is inconsistent with the reporting obligations that will apply to (the other) CCOs.

Clause 71 How Watercare to set prices

This clause provides that until 30 June 2015, Watercare must take into account any policies of, and comply with any directions given by, the Auckland Council in setting the prices of its water and wastewater services.

The clause attracted 201 submissions, primarily from submitters concerned that Watercare will not be subject to Auckland Council policies or directions in setting prices for water after 30 June 2015.

In addition to that main theme, submitters raised the following matters and suggestions:
- the legislation does not give any indication as to what applies after June 2015, and there are major concerns around the potential for the sale into private hands of Auckland’s water services;
- Watercare should remain subject to Auckland Council’s policies and directions on pricing after June 2015;
- suggest the clause be amended by changing “take into account” to read “give effect to” as this is much stronger;
- currently, some existing council policies provide for the remission or postponement of rates for water and wastewater. Does this clause bind Watercare to the remission and postponement policies of the Auckland Regional Council? Can the Auckland
Council ameliorate water rates as part of the rates bill, for rebate recognition? Recommend that there be clarification of whether Watercare is to be bound by existing policies, and if so, until when. Suggest the clause extend to cover rates rebates as councils policies for remissions on rates will no longer apply.

**Clause 72** Employees and members of Auckland Council must not be directors of Watercare

There were 111 submissions on this clause, all opposed to the clause on the grounds that either

- a majority (or at least half) of the directors of Watercare should be Auckland councillors, or
- the Auckland Council should determine a policy for who can be a director.

**Clause 73** Restrictions on form and asset ownership of Watercare

This clause attracted 189 submissions, all opposed to the clause on the grounds that:

- the Bill must prevent any sale of Watercare post-2015;
- the clause sends mixed messages about whether the Government has allowed for Watercare to be privatised after 2015; and
- water services should be run by a department or committee of the Council.

**Clause 74** Watercare to administer and enforce Auckland Regional Council Trades Waste Bylaw 1991

While a number of submitters took the opportunity to oppose any future privatisation plans, there were no submissions specific to this clause.

**Clause 75** Exemption from Takeovers Code in relation to Auckland International Airport Limited shares

There were four submissions on this clause, making the following point:

- if the 22.8 per cent shareholding varies the exemption no longer applies. Amend by applying to any Council shareholding up to 22.8 per cent. This would limit shareholding to 22.8 per cent.

**Clause 76** Purpose of sections 77 to 80

There were no submissions on this clause.

**Clause 77** Interpretation

There were no submissions on this clause.
Clause 78  Council may have rates transition management policy for 3-year period commencing 1 July 2012

There were ten submissions on this clause, generally in favour of a transition management policy for the new rating system to be developed by the Council. The main suggestions made in submissions were:

- that there be provision for a dollar limit on the maximum rate increase and decrease limit as well as a percentage, a maximum change of whichever is greater;
- that there be an option to have a different maximum rate decrease limit from the maximum rates increase limit;
- that the transition rate be calculated on the total rating liability for each ratepayer excluding any rate charged for a local infrastructure loan;
- that the current level of rates paid by elderly residents be “grandparented” in the initial transition phase;
- the adjustment period is relatively short and may need to be extended by the Council; and
- the Bill should address passive utilities separately and adopt a unique change limit specifically for passive utilities.

Clause 79  How Council must apply rates transition management policy

Submissions made on this clause made the following points:

- rates should not change by more than Consumer Price Index each financial year;
- the Bill should not have embedded percentage increases in it. The Bill should streamline rates and ensure that regardless of where one lives, a fair system which is not annually increased/decreased by a percentage is brought in with this Bill; and
- Waikato District Council seeks to have the same rating transition provisions as provided to the Auckland Council.

Clause 80  Local Government (Rating) Act 2002 otherwise applies

There were no submissions on this clause.

Clause 81 District valuation roll

There were two submissions on this clause, as follows:

- rates increases will lead to affordability issues for significant numbers of ratepayers;
- there should be consultation on the most equitable rating methodology.

Clause 82  Council authorised to collect and deal with balance of rating matters for 2010/2011 financial year

No submissions were received on this clause.
Clause 83 Rates for 2011/2012 financial year

There were nine submissions on this clause, recommending as follows:

- amend the clause to ensure the transition rate is calculated as a uniform percentage variation from the total rates liability for each rating unit, less any local infrastructure loans and any rates for water supply or wastewater services;
- to empower each local community to improve their own area according to their own priorities and to free Auckland councillors and mayor to focus upon regional matters, the submitter requests that the Bill be altered to require Auckland Council to issue a single bill for all rates and council utilities (separately itemised), including a separate local rate (to be set annually by the relevant local board) and regional rate (to be set annually by the Auckland Council). This permits the current diversity of views as to appropriate levels of council service provision to be reflected and funded in a local rate for each local community, while allowing the full Auckland Council to set and fund rates for provision of those amenities that are truly regional in nature;
- amend the clause to replace "uniform percentage variation" with "CPI";
- a uniform approach is not appropriate as it fails to recognise that passive utilities do not cause costs to councils and derive little benefit from council services. It is more appropriate that any percentage variation should be tailored to specific activity classes;
- provide that the existing councils’ current rates policies and projected rates increases set out in their Long-term community Council plans should continue, with a uniform percentage increase applied only if there is a shortfall;
- amend to provide that any uniform percentage increase that is applied does not apply to targeted rates;
- Grey Power noted that there will be three other local authority rating entities (Auckland War Memorial, Museum of Transport and Technology, and the Auckland Regional Amenities Fund). If their charges increase this would have a major impact on the elderly and low income earners.

Clause 84 Targeted rates proposals in 2011/2012 financial year

There were thirteen submissions on this clause, the main points of which were:

- Auckland Regional Council recommended that the grounds on which the governing body may decline a proposal for a targeted rate in 2011/12 are broadened;
- while supportive of the idea of some different funding between local board areas, one submitter was concerned that there is the potential for the Auckland Council to "off-load" its responsibilities for local areas by requiring targeted rates to be set for core services. Should this happen, the scenario might arise where there is considerable disparity between the services provided to high income areas compared to low income areas. The Select Committee should look into mechanisms to avoid such a situation such as a percentage cap on the amount of rates that can be local board area targeted rates as a proportion of the total rates set;
- targeted rates should be discontinued;
- rates should be based on capital value;
- the distribution of rates and the development of budgets based on rate collections need to be tailored to coincide with the areas identified for local body representation;
• local boards need to be adequately funded and not rely on raising additional targeted rates for their work; and
• Business Improvement Districts should be separated from other community initiatives within the targeted rating policy.

Clause 85 Charges on rates

No submissions were received on this clause.

Clause 86 Rates as security

No submissions were received on this clause.

Clause 87 Certain matters in planning document prepared by Transition Agency must be replaced by 30 June 2012

Three submitters commented on this clause, as follows:
• all citizens within the Auckland region should be levied to fund local amenities;
• the full cost of the transition to one council has not been fully assessed, this will place a financial burden on rate payers that will take years to recoup; and
• Auckland Regional Council recommended that the clause requires the ATA to include a new rates remission policy for 2011/12 in the planning document they are preparing for the new Council.

Clause 88 Development Contributions already made or owed

No submissions were received on this clause.

Clause 89 Initial development contributions policy

There were five submissions on this clause, the main points of which were:
• the Bill should make a clear distinction between Financial Contributions under the RMA and Development Contributions under the Local Government Act;
• clause 89 (4) should be amended to remove the Auckland Council's power to require a development contribution for water and waste-water purposes from 1 July 2011;
• the clause should state that development contributions put in place after 30 June 2012 apply even if inconsistent with policies in place prior to 30 June 2012; and
• Watercare intends to use Network Upgrade Charges for water and wastewater infrastructure costs driven by growth. This carries complications and legal risk and has never been legally challenged in NZ before. One council submits that water and wastewater capital expenditure required for population growth should be funded by development contributions until these legal matters are resolved and the new development contributions policy of the Auckland Council is adopted.
Clause 90 Development contributions for water infrastructure

There were five submissions on this clause, as follows:

- clause 90 should be amended so that subsection (3) relates to the LGA section 209 (1)(a)(b)(c), and subsection (6) relates to the LGA section 209 (1)(d);
- until it can be confirmed that the area to be transferred to Hauraki has no water or wastewater infrastructure assets, this provision should not apply to the area being transferred;
- this clause should also apply to financial contributions;
- the clause should also provide that Waikato District Council review and replace all existing development contributions policies inherited from transfer of parts of the Franklin District by 30 June 2012; and
- Waitakere City Council notes that Watercare intends to use Network Upgrade Charges for water and wastewater infrastructure costs driven by growth. This carries complications and legal risk and has never been legally challenged in NZ before. Council submits that water and wastewater capital expenditure required for population growth should be funded by development contribution until these legal matters are resolved and the new development contributions policy of the Auckland Council is adopted. The Council recommends that clause 90 be deleted.

Clause 91 Development contributions for transport infrastructure

One submitter recommended adding to 91(1)(b) any assessment by the Auckland Council under clause 89(2) of the Bill, and adding after subclause 91 (2) a new subclause requiring the Auckland Council to refund or return the development contribution if section 209 or 210 of the LGA applies.

Clause 92 Bylaws and Auckland transport systems

There were six submissions on this clause, recommending as follows:

- include a requirement that Auckland Transport must consult on transport planning requirements and not just bylaws;
- amend to clarify that all existing bylaws, resolutions and delegations of the existing regional, city and district councils in the Auckland area are effectively adopted by the new Auckland Council on 1 November 2010 and must be reviewed no later then 1 November 2015;
- have corresponding provisions that validate Franklin District Council's bylaws in areas to come under the jurisdiction of Waikato District Council and Hauraki District Council; and
- amend so transport bylaws are made by the Auckland Council, not Auckland Transport.

Clause 93 Bylaws about waste

There were eight submissions made on this clause, the main points of which were:

- ensure that resolutions made pursuant to the bylaws are also deemed to have been made by the Auckland Council;
amend 93(4) (b) to provide that the Auckland Council must review each waste bylaw before the close of 30 June 2013;

amend to clarify that all existing bylaws, resolutions and delegations of the existing regional, city and district councils in the Auckland area are effectively adopted by the new Auckland Council on 1 November 2010 and must be reviewed no later then 1 November 2015;

have corresponding provisions that validate Franklin District Council’s bylaws in areas to come under the jurisdiction Waikato District Council and Hauraki District Council;

bylaws need to be reviewed, and ratepayers should be given the opportunity to discuss the effects; and

there needs to be transitional provisions in the Bill to enable an appropriate lead in time for waste management industry to respond and adjust their practices.

Clause 94 Bylaws about matters other than Auckland transport system and waste

There were ten submissions on this clause, the main points of which were:

- ensure that resolutions made pursuant to the bylaws are also deemed to have been made by the Auckland Council;
- provide that until 31 October 2015 the Council can roll over an existing bylaw where it considers the bylaw to be acceptable in its current state without having to undertake the full review process under the LGA;
- support a consistent approach to bylaws but it may lead to bylaws not reflecting local circumstances. The Auckland Council should create a priority list of bylaws where a regional approach would immediately be beneficial;
- suitable legislative provisions need to be included for existing bylaws made by the Franklin District Council to remain in force in the area to be transferred to the Hauraki and Waikato District Councils. This will ensure that there is no disruption to the bylaw regulatory framework;
- amend to clarify that all existing bylaws, resolutions and delegations of the existing regional, city and district councils in the Auckland area are effectively adopted by the new Auckland Council on 1 November 2010 and must be reviewed no later then 1 November 2015;
- the Waikato District Council seeks the power to confirm, amend, or revoke any bylaws inherited from the Franklin District Council in areas transferred from the Franklin district;
- oppose being able to change bylaws without public consultation; and
- a revision of all bylaws is probably an unrealistic target and may lead to quick rather than thorough and consultative decisions.

Clause 95 Policies

There were ten submissions made on this clause, recommending as follows:

- amend clause 95(1)(a) so that it also applies to policies that are made pursuant to bylaws to which section 92 to 94 apply;
• delete clause 95 as it would dissolve Council policies that are not expressly required by law, such as alcohol and liquor licensing policies, which could have a detrimental effect on community well-being and safety;
• amend clause 95 to ensure that all existing alcohol/liquor licensing policies in the Auckland region be retained until such time that these can be reviewed and a city wide policy developed to achieve consistency and effective harm reduction;
• Zero Waste Policies should be retained from 1 November 2010;
• amend to clarify that non-statutory policies are also to be transferred;
• have corresponding provisions that validate Franklin District Council's policies in areas to come under the jurisdiction of Waikato District Council and Hauraki District Council; (and that a similar timeframe as set for the Auckland Council apply);
• the Waikato District Council seeks the power to confirm, amend, or revoke any policies inherited from the Franklin District Council in areas transferred from the Franklin district; and
• a revision of all policies is probably an unrealistic target and may lead to quick rather than thorough and consultative decisions. The clause should include criteria to determine the priorities for the review of policies.

Clause 96 Statutory warrants relating to transport law

No submissions were received on this clause.

Clause 97 Statutory warrants relating to law other than transport law

In respect of employees transferred to the Waikato District Council, the Council submitted that provision should be made for each warrant to remain in force until confirmed, amended, or revoked by the Waikato District Council.

Clause 98 Fees and charges: regulatory services

Three submissions were made on this clause:
• the NZ Law Society submitted that subclauses 98(2) and 98(3) seem to be contradictory in that subclause 98(2) suggests an Order in Council may be made, and subclause 98(3) that it must;
• one submitter recommended that the words "or a Council Controlled Organisation of the Auckland Council", be added after the word “Council”; and
• one submitter recommended that 98(3)(b) read “come into force on 1 November 2010”.

Clause 99 Fees and charges: non-regulatory services

Two submissions were received on this clause, recommending:
• that the words "that applies in Auckland" be deleted;
• that the words "or a Council Controlled Organisation of the Auckland Council" be added after the word "Council".
Clause 100 Standing orders

Five submitters opposed the Minister’s role in making the new Standing Orders and proposed that a joint committee of existing local authorities make them, or the ATA draft them for the new Auckland Council to consider.

Clause 101 Delegations

There were nine submissions on this clause, the main points of which were:

- the Bill does not give CCOs the ability to delegate to local boards, with the exception of Auckland Transport, which is able to delegate to local boards but is not compelled to; and
- 101(4) (b) should refer to a local board, not a community board.

Clause 102 Building

There were no submissions relevant to the clause, but two submitters commented on the need to prevent the expense created by leaking buildings being spread across entire rating base, and the need for stricter regulations on buildings and infrastructure to protect them from earthquake damage.

Clause 103 Civil defence emergency managements

No submissions were received on this clause.

Clause 104 Fire authority appointments

The Franklin District Council submitted that Fire Authority appointments should continue to have effect in Waikato District Council and Hauraki District Council.

Clause 105 Resource Management

There were twelve submissions on this clause, as follows:

- Auckland Regional Council recommended that clause 105 be redrafted to more clearly make arrangements for the administration of RMA plans, regional policy statements, plan changes and appeals following the southern boundary change;
- if no such provision already exists, the Bill should be amended to provide that arrangements similar to clauses 105(2) and 105(7) will apply in respect of those parts of Franklin District to be transferred to Hauraki District or Waikato District;
- two submitters asked that in subclause 12, the south-eastern corner of the current Auckland region containing water supplies and regional parks should be restored to Auckland. If this is not agreed to, a reference to the Hauraki District should be added;
- the Private Plan Change requests process must remain in place while the Auckland Council District Plan is being prepared concurrently. It is submitted that the imposition of a moratorium during all or part of the District Plan preparation process is unnecessary;
amend subclause (7) to provide that existing designations continue in effect until the proposed district plan of Auckland becomes operative and delete all references to designations ceasing to have effect once included in the proposed Auckland Council plans or on 1 November 2015;

delete all references to Auckland Council being able to "decide" to include requirements for designation in its proposed plan under clause 4 of Schedule 1 of the RMA;

amend (1) to require the transfer of responsibility for all outstanding RMA actions, and have a new provision which provides for the continued processing of all RMA applications and progress of other outstanding actions required by existing authorities;

one submitter is concerned that clause 105(7) may have the effect of overriding the tenure and security of utilities' designations. There are other requiring authorities, apart from councils, that have designations. Vector has many designations that are included in council district plans in the Auckland region. These should continue for the term for which they were granted and not be affected by this legislation;

the provisions about resource management and relating to district plans should also apply to the Waikato District Council; and

further matters should be included after subsection 12 to cover National Environmental Standards, and National Policy Statements issued before 1 November 2010, and existing tree protection controls.

Clause 106 Auckland regional growth strategy

One submitter noted that clause 106(3) provides that the Auckland Regional Growth Strategy has no effect once the Auckland Council adopts the spatial plan. The submitter considers that an amendment should be made either to the Bill or the Waitakere Ranges Heritage Area Act 2008 to ensure that the spatial plan must be consistent with the Waitakere Ranges Heritage Area Act.

Clause 107 Appeals against change or variation under Local Government (Auckland) Amendment Act 2004

No submissions were received on this clause.

Clause 108 Tax

There were four submissions on this clause, the main points of which were:

- provide that for the 2010 tax year the existing council's balance date will be 31 October 2010, and the tax return will cover the period from 1 July 2009 to 31 October 2010;
- define assets and liabilities to include taxation assets and liabilities including but not limited to tax losses;
- provide that, for the purpose of the Income Tax Acts and the Injury Prevention Rehabilitation and Compensation Act 2001, on the transfer of employees the recipient entity shall be deemed to be the same employer as the original employer until 31 March 2011;
• amend the Bill to provide that none of the transfers authorised or anticipated by the Bill give rise to any GST or gift duty liability;
• amend (4) to cover all possible transfers between the existing councils and their CCOs and the Auckland Council and its CCOs;
• amend (8) to provide that where assets are transferred from a tax exempt entity to a taxable entity, those assets will be valued at the tax exempt entity's net book value at the time of transfer or earlier valuation and where assets are transferred between taxable entities, those assets will be valued at current tax book value at the date of transfer;
• Auckland Regional Council recommends that the Bill include provisions allowing for the reorganisation of Auckland local government to be tax neutral; and
• amend the Goods and Services Tax legislation to allow the Auckland Council to elect to account for GST on rates in equal 1/12 amounts, that is, on a full accrual bases.

Clause 109 Waste

There were ten submissions on this clause, the main points of which were:
• insert a new subclause to clarify the right of the Council and its CCOs charge for the transport of trade waste through their systems;
• one submitter was concerned that the transition to the Auckland Council will adversely affect the waste management market and may cause changes to current waste management arrangements with existing local authorities. The submitter recommends that any proposals to change the existing system of waste management should be subject to public consultation;
• one submitter proposed that the Bill is amended to allow for a separate CCO to be established to plan and manage regional solid waste matters;
• the Auckland Council should be prevented from contracting out waste management services for longer than three years;
• waste disposal charges should be determined by the Auckland Council Waste Department;
• an independent Auckland Services Performance Auditor should be established to monitor the waste industry; and
• the Waikato District Council seeks an equitable proportion of levy money received by the Franklin District Council under the Waste Minimisation Act 2008 before 31 October 2010 to be transferred to the Waikato District Council.

Clause 110 Titles to land

The Waikato District Council submitted that this clause relating to titles to land should apply to the Waikato District Council in relation to land transferred from the Franklin District to the Waikato District Council.
Clause 111 Establishment of Pacific and Ethnic Advisory Panels for Auckland

There were 51 submissions made on this clause, predominantly supporting the establishment of the Panels and seeking their continuation beyond 1 November 2013. Additional points made in submissions were:

- the Pacific and Ethnic Advisory Panels should be established on a permanent basis;
- replace the Pacific and Ethnic Advisory Panels for Auckland with the Auckland Pacific Economic Forum Inc which is already established and recognised;
- establish Pacific advisory boards to the 20-30 local boards similar to the existing arrangements with the Auckland councils;
- they should be able to develop their own work programmes of interest to their communities, and be able to report and present to the Auckland Council, local boards and CCOs on these;
- suggest Ministry of Pacific Island Affairs, Office of Ethnic Affairs and current territorial local authorities to provide advice to Mayor on appointments;
- one submitter suggests that the Bill includes a definition of an ethnic group in relation to eligibility for inclusion on the Ethnic Advisory Panel;
- advisory panels should also be created for youth; the elderly; transgender, gay and lesbian people; and business sectors;
- the existing Pacifika boards should be co-opted to the Pacific Peoples Advisory Panel. These people remain long-serving and have considerable community support and knowledge;
- amend the Bill to introduce the requirement to review panels, their role, influence and effectiveness with a view to either maintaining them or put in place alternative mechanisms and/or processes for engaging with Pacific and ethnic peoples;
- require the Auckland Council to review the work of the Panels by 1 November 2013;
- include a statutory Pacific panel on the governance board and a transparent selection process;
- advisory groups/panels should have committee status;
- "Panel" should be called "a Board";
- rename as Pacific Peoples Advisory Committee or Pacific Peoples Advisory Forum;
- the Auckland Council should appoint, not the Mayor;
- in 2 (b) and 3(b) add "and CCOs" as their powers will be great in their impacts on Pasifika and Ethnic populations;
- the process for appointing both panels is unnecessarily political and should be the responsibility of the Auckland Council, not especially a role for the mayor; and
- there are inconsistencies in the provision for establishing the two panels in relation to consultation. The submitter submits that the consultation requirements for the Ethnic Peoples Advisory Panel imposed on the ATA include the broader consultation requirement placed on the chief executive of the Ministry of Pacific Island Affairs in relation to the Pacific Peoples Advisory Panel. Both sets of advice should be available to the new Auckland Council by 1 November 2010.
New Schedules 2 to 6 added to Local Government (Tamaki Makaurau Reorganisation) Act 2009

New Schedule 2: Provisions relating to planning document required under section 19A
See also summary under clause 17. There were 10 submissions in relation to new Schedule 2, the main points of which were:

- amend clause 2(2) of Schedule 2 so that the ATA is required to set local board budgets for 2010/11 and 2011/12;
- amend clause 4 of Schedule 2 to require that the planning document include an initial policy on significance;
- amend the requirement to prepare an audited annual planning document based on existing Long-term Council Community Plans to a requirement to prepare a more realistic planning document for a shorter period;
- amend clause 2(2)(a) by adding "and projects" after "activities" because local boards will have a few local projects and events;
- that provision be made to allow for adjustments to budgets/allocation of resources to local boards in the first planning period;
- strengthen the CCOs plan provisions to also identify the assumptions on which the financial statements are based (e.g. useful life of significant assets and sources of funding for future replacement).

New Schedule 3: Matters in relation to election signs that must be included in bylaw
There were thirteen submissions on new Schedule 3, the main points of which were:

- amend clause 3(2) so that "polling day" is replaced by "election day" as per the Local Electoral Act;
- amend clause 4 to include heritage and sensitive ecological sites;
- omit clauses 6(1), (b) and (f) as they are overly prescriptive;
- clause 7 should only apply if vandalism is significant or made the sign unsafe and a council may remove a sign where the candidate has failed to remove it after reasonable notice;
- amend clause 6 to clarify that the limitation of one election sign extends to affiliations;
- amend clause 6(1)(d) to "approximately 45 degree for the angle of the bracing" if this requirement is needed at all;
- in clause 6(1)(e,) add "only if on public land", so that private owners can decide whether to fix it to their house or a fence;
- delete clause 6(1)(g) to allow reminder to vote signs or ribbons, provided they are safe;
- amend clause 6(3) from a one-sign limit to one or no more than two signs to allow those at approximately right angles facing each way for stability and for visibility;
- in clause 7(1)(b), delete "damaged, is vandalised or" as unnecessary They only need to be taken down if actually unsafe;
Local Government (Auckland Law Reform) Bill

- in clause 7(2), candidates should be required to pay only if they have breached the requirements or the sign has to come down because it is unsafe; and
- amend clause 8(1) after “candidate” by adding "or group of candidates", which will be the more common situation for signs.

New Schedule 4: Dissolution of CCOs

No submissions were received on this new Schedule.

New Schedule 5: Provisions that apply to certain employees of existing local authorities and terminating organisations.

There were three submissions on new Schedule 5, the main points of which were:

- amend clause (1)(b) in line with the amendments to new section 35C(4)(c) so that the clause clearly states that staff who are transferred to the Auckland Council will be transferred on the same employment agreement;
- amend Schedule 5 so that there is discretion for staff to be offered transfers before 1 November 2010, and ensure this does not affect employees’ entitlement to compensation through to 30 April 2011 under proposed clause 4(b) in Schedule 6; and
- amend clause (4)(b) to remove the start and end dates, and allow for a period of 12 months wage protection compensation, and include a clause in the schedule to allow for other disadvantage to be raised and compensated.

New Schedule 6: Redundancy and compensation provisions

There were seven submissions on new Schedule 6, the main points of which were:

- the Bill should allow for redundancy and compensation for affected fixed term contract employees if they are terminated before the tend of their agreement;
- clause 4(b) is supported as it ensures continuing employees cannot have their wages or salary cut for 6 months. Their terms and conditions should also be protected for 6 months and this provision added to the Bill;
- clause 4(b) should be amended so that the 6 months runs from the time of commencement in the position;
- clause 5 should be amended to refer to all employees who transfer to a position in a different location;
- clause 5(b) should provide for certainty, with no redundancy below certain levels and comprehensive provision based on principles of fair employment protection and entitlements; and
- amend clause 6(c)(iii) so that Auckland Regional Council, Auckland Regional Transport Authority and Auckland Regional Holding employees are not disadvantaged relative to employees of other local government organisations, when considering whether a relocation constitutes a change in the terms and conditions of employment.
Schedule 2


New Schedule 2: Provisions relating to Auckland Transport

There were nine submissions on new Schedule 2, suggesting the following amendments:

- clause 1(2) should be repealed or amended. Alternative suggestions on the 4-year term for directors’ appointments were to introduce a fixed interim period or a maximum of 3 or 4 years with a right of reappointment to correspond with the Council term;
- clause 1(3) should specify that the term or re-appointment is “up to” 4 years – the Auckland Council should be able to vary the term of appointment as it sees fit;
- clause 3 should include a “person who is a board member of another CCO”;
- clause 14(2)(d) the reference to a trustee should be amended to a beneficial trustee;
- clause 16 should require disclosures of interests to be publicly available;
- in clause 23(b), those methods of communication should require all directors to agree their use as satisfactory for that particular meeting;
- clause 28 is undemocratic and should be repealed;
- clause 29 does not include any requirement that the appointed director does not have any conflict of interest in accepting the role. This should be an explicit requirement when appointing the chief executive; and
- clause 33 allows Auckland Transport to delegate responsibilities, duties and powers, which is supported. However, this clause should be subject to the same process that exists in sections 14 – 18 of the Local Government (Auckland Council) Act 2009.

New Schedule 3: Provisions relating to board promoting issues of significance for mana whenu and Māori of Tamaki Makaurau

Ten submitters made recommendations in relation to this new Schedule, the main points of which were:

- clause 1(a) - clarify who "taura here" are;
- clause 1 - reference to "taura here" should be deleted and the words "pan-tribal Māori" be inserted or the term "taura here" be given statutory definition;
- clause 4 - the obligation to give notice should be with the Auckland Council rather than the Minister of Māori Affairs;
- clause 5(2) - amend to ensure that there is clarity about members of the mana whenu and Māori board vacating office if they become disqualified from holding office after being appointed to the board (as will be the case with Auckland Transport);
- clause 6 - the Board should have four taura here representatives, so that urban Māori and external iwi have a reasonable voice;
- clause 9(1) – the three year term should align with the Auckland Council’s triennial electoral cycle;
- clause 9(1) – there should be a minimum term of four years and a maximum of two
terms with a rolling membership process;

- in clauses (9) and (10), these decisions should be made by the selection body or by Māori Affairs, not by the board;
- clause 12(1) should provide for the initial appointment of a chairperson and deputy following the establishment of the board;
- clause 13(2) should expressly provide for notices of meeting to be given either in writing or electronically;
- clause 14(9)(b) - delete consensus decision-making requirement;
- in clause (17) the independent expert is appointed by the Council, but makes a recommendation to the board, not the Council – is this intended?
- The wording of clauses 17(1) and (4) suggests only one level of fee may be set. The Bill should expressly recognise that different fee levels may be set for the chairperson and deputy of the board;
- in clause (17), the Māori Board’s remuneration, because of its independence, responsibilities and mana, should be determined by the Remuneration Authority, not the Auckland Council;
- clause 20 - although the Council sets the fee for members initially, is it intended that thereafter it ceases to do so and fees must be agreed by the Council and board in the funding agreement? Does this also apply to expenses?
- clause 28(1) – consider whether the difference in meaning between members of the board and a committee should be clarified or, if there is no difference in meaning, one of the terms should be removed;
- clause 32 - ensure section 45M(2) of the Public Finance Act does not apply to the board and add the board to Schedule 4 of the Public Finance Act;
- clause 33 – make it clear that the Secretariat should be equipped with staff, including Māori and non Māori with a sound knowledge of local government as well as an understanding of kaupapa Māori (Māori way), te reo Māori (Māori language) and te iwi Māori processes and relationships; and
- clause 34 – is it appropriate to limit the board and the selection body to the three dispute processes listed in clause 34(3)?
Schedule 3

Enactments amended

Part 1: Amendments to Public Acts

Hauraki Gulf Marine Park Act 2000
Three submitters supported amending the Hauraki Gulf Marine Park Act 2000 to provide for representation from the Great Barrier and Waiheke local boards on the Hauraki Gulf Marine Park Forum.

Income Tax Act 2007
One submitter suggested further amendments to the Income Tax Act 2007 to provide that Watercare is not required to pay tax given that is prohibited from paying a dividend and to provide that all new CCOs established under proposed section 35G will be tax exempt until 1 November 2010.

Land Transport Management Act 2003
Seven submitters want to retain section 15(b) of the Land Transport Management Act 2003 as its repeal would mean Auckland Transport is not required to 'give effect' to the Regional Land Transport Strategy (RLTS) in its Regional Land Transport Programme.

Five submitters recommended additional amendments to the Land Transport Management Act 2003, as follows:

- section 15 (b) should be amended to require Auckland Transport to give effect to the spatial plan in the Regional Land Transport Programme;
- section 74(3) should be amended to read: "the Auckland Council must appoint representatives of New Zealand Transport Agency, ONTRACK and KiwiRail to be special advisors to the Auckland Council";
- section 74(4) should be consistent with section 74(3);
- omit the phrase "if affected" from 18(ab) so that the Auckland Council is always consulted; and
- omit section 18A(4) so that separate consultation must be undertaken on the Regional Land Transport Programme.

Litter Act 1979
One submitter recommended that the reference to the Auckland Harbour Bridge Authority not be inserted into the Litter Act 1979.

Local Electoral Act 2001
108 submitters opposed the amendments to the Local Electoral Act 2001 that would increase election campaign spending limits. Submitters suggested a formula based on either an amalgamation of the spending limits of current councils, or one based on the parliamentary limits. Some submitters suggested a cap at $100,000.
Local Government Amendment Act 1992
108 submitters opposed the repeal of section 77 of the Local Government Amendment Act 1992 on the grounds that the section vests ownership of Centennial Park in the Auckland Regional Council. It was submitted that the only amendment required is to change the reference to “Auckland Council”.

Local Government Official Information and Meetings Act 1987
One submitter recommended insertions to Part 2 of Schedule 1 of the Local Government Official Information and Meetings Act 1987 to include Auckland Transport, the WDA, Watercare and any other Auckland Council CCOs that may be established in the future.

Resource Management Act 1991
One submitter supported changing the RMA, section 33(2) to allow for the governing body to delegate to a local board their roles, functions and powers under the RMA. The submitter is particularly concerned that local boards retain control over local planning and consenting issues so that they can conserve the heritage nature of the local area.

Part 2: Amendments to Local, Private, and Provincial Acts

Auckland Aotea Centre Empowering Act 1985
Five submitters recommended as follows:

- instead of repealing sections 8 and 8A, amend the Act to allow for the Auckland Council to negotiate an annual service agreement with the Aotea Board of Management to efficiently operate the facilities and deliver agreed community outcomes;
- amendments to the Auckland Aotea Centre Empowering Act 1985 should only be made in the context of how and to what extent the Auckland Council will fund and/or manage the other performing arts venues in the region;
- the Auckland Council should be obliged only to make a reasonable contribution to the operating costs net of receipts of the Aotea Centre; and
- require the Auckland Council to review the Aotea Centre Empowering Act and report to the Department of Internal Affairs by 1 November 2013.

Auckland Regional Amenities Funding Act 2008
There were twenty four submitters on the proposed amendments to this Act, the majority of who were opposed to the repeal of section 34(5) relating to the maximum total levy that may be imposed on contributing authorities. It was submitted that retaining the funding cap provides for planning under the annual planning process for the maximum amount to be budgeting for and there is certainty as to the maximum levy that could be paid in any one year. There is also support for the substitution of the Electoral College with the Auckland Council.

Other recommendations were:

- provide that the definition of “Auckland” take effect from 1 July 2010 for the levies for Museum of Technology and Transport (MOTAT) and Auckland Museum;
- repeal the entire Auckland Regional Amenities Funding Act as its purpose disappears with the amalgamation of the exiting Auckland local authorities into the Auckland Council; and
• amend the Act to ensure amenities payments during the transition period are continued but instigate a more thorough review of the funding arrangements for the longer term, to apply consistent, fair and democratic principles of accountability.

Auckland War Memorial Museum Act 1996
Two submitters made recommendations as follows:

• delete "contributing authority' in section 2, and replace a reference to "Auckland Council" in:
  o section 4(3);
  o section 5(4) and subsection 5(4)(a);
  o section 12(2)(f);
  o section 22(5);
  o section 28(5)(b); and
  o section 29: heading and text.

• amend the definition of "Electoral College" to "Auckland Council" with the words "not less than 7 members of the Auckland Council, who shall elect a chairperson for each meeting";

• the new clause 23(3) should read: "The Auckland Council must pay the levy on the next 1 July after the Board makes the levy referred to in subsection (2)";

• remove redundant reference to section 13 in section 7(8);

• section 22(3) requires a meeting with the chairperson of the Electoral College. Should this be a reference to the Mayor or a member of the Auckland Council?

• repeal section 22(7) as it will require the Auckland Council to send itself a copy of its submission on the draft annual plan;

• section 23(5) requires payment of the levy on 1 July each financial year. Retain this to avoid monthly or quarterly payments; and

• add the Auckland Museum Trust Board to section 6(4) of the LGA to avoid the Museum coming under the definition of a CCO.

Museum of Transport and Technology Act 2000
Three submitters recommended as follows:

• the references to Franklin District that the Bill proposes to include in the Amenities Funding Act, the Museum Act and MOTAT Act should be removed;

• do not repeal section 5(4)(b) of the MOTAT Act; and

• the provisions removing caps on the funding levies in the Museum Act and the MOTAT Act should be deleted from the Bill.

Waitakere Ranges Heritage Area Act 2008
50 submitters opposed repeal of section 18 of the Waitakere Ranges Heritage Area Act. Submitters suggested the only amendment to the Act that is required is that the protection that is currently provided in respect of the regional growth strategy is extended to the spatial plan.

Waitemata City Council (West Harbour) Empowering Act 1979
One submission was received, in support of the proposed amendments, but the submitter cautions other provisions should be retained as they contain essential by-law making powers.
Part 3: Amendments to regulations

There were no submissions received on Part 3 of the Schedule.

Schedule 4

Provisions that apply to certain employees of Auckland Regional Transport Authority and Auckland Regional Transport Network Limited

One submitter recommended that the provisions are amended to refer to all employees who transfer to a position in a different location.

Schedule 5

Redundancy and compensation provisions that apply to certain employees of Auckland Regional Transport Authority and Auckland Regional Transport Network Limited

No submissions were received on this Schedule.
Clause 1 Title

No submissions were received on this clause.
Local Government (Auckland Law Reform) Bill

Clause 2 Commencement

Keyword: Different commencement time earlier/later

As a minimum, the debate on Auckland’s future direction must be tested over the next 12 months. However, as this bill is anti-democratic, would prefer an indefinite deferral.

Anne Priestley (154)

Commencement should be postponed indefinitely to allow Auckland residents adequate consultation on Local Government (Auckland Law Reform) Bill.

Michael Terry (1204)

Robert Richards South Titirangi Ratepayers and Residents (541)

Commencement of this Bill should be postponed indefinitely. Current transition arrangements should be held in place while elections are carried out in October 2010.

The Aucklander (130)

Keyword: Enforcement after 1 November

Susanne Vincent (726)

Keyword: Oppose

The commencement of this Bill should be postponed until the people of Auckland have been adequately consulted, unless it can be altered to provide a standard of reasonable democracy for local government.

Allen Davies (148)

1 November 2010 not achievable for good legislation.

Doris de Pont (269)

Parts 2 and 3 come into force on 1 November; clause 53 requires the CE of Auckland Transport or ATA to complete his/her review and make job offers by 30 September. Is there a timing problem?

Christine Ross PSA (550)

Legislation being passed with too much haste and the process has been undemocratic.

Gretchen Schubeck (294)

Local Government reform in Auckland deserves a more considered approach than is possible in the current time frames set by Government.

Helen Te Hira IHI Action Group (501)

Provide for those clauses that need to be in force before 1 November 2010 to come into force on assent, including clauses 53, 54, and 56.

Timeframe is too short.
Postpone indefinitely unless substantially revised to address issues of justice and democracy.

Commencement of the Bill should be postponed until further, in-depth, consideration is undertaken to address the flaws of the Bill and proper consultation and consideration is given to the citizens of Auckland. A governance model should be designed that is more closely related to the recommendations of the Royal Commission Report.

McLaren Park & Henderson South Community Initiative Inc. (813)

Defer amalgamation until proper consultation and consideration is undertaken.

Melanie Scott (725)

Commencement of this Bill should be postponed indefinitely. Current transition arrangements should be held in place while elections are carried out in October 2010.

Peta Joyce (526)

Defer until the actual physical requirements of the Auckland Region and the requirements of the citizens of Auckland Region have been determined properly and democratically.

Ross Williams (532)

Timeframe of the bill should be postponed indefinitely.

Waiheke Gulf News (740)
Clause 3 Purpose

Supports the intent of this Bill as it will result in improved regional governance for Auckland.

ASB Community Trust (174)

Recommends that the Bill's purpose be amended to include an overall statement to highlight that the efficient functioning of Auckland Council as a unitary organisation "will be underpinned by a single, integrated structure in which all component parts are aligned and accountable to the elected Council".

Auckland Chamber of Commerce (175)

Support the need for a strong Mayor and a council that invests in community based organisations and builds local city boards and communities.

Bevin Fitzsimons (211)

Supports the purposes expressed in the Explanatory Note to the Bill, that is, the development of "strong regional governance, integrated decision making, greater community engagement, and improved value for money". These purposes need to be more explicitly expressed in the proposed legislation. The underlying purpose of the 'technical' additions contained in this Bill to the previous two pieces of legislation need to be explicitly referred to, so that the outcomes of the changes can be more effectively assessed over time.

COMET Charitable Trust (250)

Submitter proposes that the Purpose of the Bill be amended to include an overarching statement that the efficient functioning of Auckland Council as a unitary organisation will be underpinned by a single, integrated structure in which all component parts are aligned and accountable to the elected Council.

New Zealand Council for Infrastructure Development (949)

Supports the idea of one united Council for Auckland.

Uzra Balouch (974)
Part 1 and Part 2 of the Bill need to include a generic employment provision to encompass the employees of all existing local government organisations as per the Tamaki Makaurau Act except for Watercare Services Ltd and any other CCO that is not being disestablished as a legal entity as of 1 November 2010 (or earlier).

Manukau City Council (957)
No submissions were received on this clause.
Clause 5 Commencement

No submissions were received on this clause.
No submissions were received on this clause.
No submissions were received on this clause.
Keyword: Definition of Auckland

Asks that the Local Government Commission be given the option to consider an adjustment to the northern boundary of the Auckland Council so that governance of the Kaipara Harbour falls within Kaipara District Council. Alternatively the Council asks that in relation to the management of the Kaipara Harbour, a review be undertaken by the Auckland Council, the Northland Regional Council and the Kaipara District Council to ensure that both district and regional functions can be properly discussed and considered when considering the management of the Kaipara Harbour.

Kaipara District Council (884)

Keyword: Other Comments

A definition of 'regulatory' is needed.

Manukau City Council (957)

The definition of “selection body” refers to a “body established by clause 2 of the Schedule 3”. The intended reference would seem to be to clause 2 of Schedule 3 of the Local Government (Tamaki Makaurau Reorganisation) Act.

Recommends that the Committee is satisfies that the definition is correct.

New Zealand Law Society (971)
Clause 9 Part 2 repealed

Oppose.

Edward Exton Fletcher (275)
ATA has far too much power vest in it without any reference to the ratepayers/communities.

Ian Gordon (502)

The ATA is an undemocratic body because none of its members have been elected by the people of Auckland and are therefore not representative of the voters.

Robin Lorenz Hill (841)
Keyword: Establishment of Ethnic Peoples Advisory Panel

Elected Council should have input into this process.

A Young (742)

Existing Pasifika boards should be consulted on the establishment of the Ethnic Peoples Advisory Panel.

Alastair Jamieson (143)

Supports this proposal as it will enable greater representation and engagement from these communities. However, it is suggested that under the new Bill that the full elected council also have input into the establishment of this panel, rather than the Mayor alone. It is also recommended that the Panel is adequately resourced and funded by the Council.

ASB Community Trust (174)

No Council input on how consultation with ethnic groups will be established, it is left up to the Mayor alone.

Elisabeth Laird (281)

Advisory Panels will have no real power.

Grassroots Action Group (973)

Support a democratic process that engages the affected communities through powerful, genuine consultation and quality relationships with the affected communities, with the inclusion of youth participation.

Jarad Bryant (363)

Will further affect the bureau and community due to the ethnicity and concerns of volunteers and staff.

Otara Citizens Advice Bureau Inc (826)

Elected Council should have input into this process.

Pippa Coom Grey Lynn 2030 (293)

Prue Elvidge (1207)

Recommend that the ATA engages with and proactively involves the Auckland Regional Settlement Strategy in the development of the process for establishing the Ethnic Peoples Advisory Panel.

Rodney District Council (976)

Pacific and Ethnic Boards should be permanent, and existing Pacific and Ethnic Advisory Boards should be consulted on the formation of the new Pacific and Ethnic Peoples Advisory Panels.

Susanne Vincent (726)

The Pacific and Ethnic Boards should be permanent.
Local Government (Auckland Law Reform) Bill

Titirangi Ratepayer and Residents Association (730)

Opposed to the name "Ethnic People's Advisory Panel". Proposes the name Tangata Nui o Aotearoa (the new people of New Zealand).

Uzra Balouch (974)

Keyword: Other Comments

Strongly support a democratic process that engages the affected communities, through powerful, genuine consultation and quality relationships with affected communities, with the inclusion of youth participation.

Amanda Judd YouthWorx (515)

The Panel should be accountable to and established by the Council not the Mayor. The Bill should detail the statutory relationship between the Panel, the CCOs and the Local boards.

Chris Everitt (97656)

The Ethnic Advisory Panels should be appointed by all elected councillors not only by the Mayor.

Hilary Jones (547)

Auckland District Council of Social Services (907)

Elected Council should control the establishment of the Panel.

John Railton (595)

In 13(1) (cc) require the ATA to consult existing councils and the ethnic groups that those councils already have relationship with. The Auckland Council should consider the ATA's proposals.

Auckland City Council (545)

Amend to include a requirement for community input, consultation with local authorities and input by the Office of Ethnic Affairs into the proposals for the establishment of the Ethnic Advisory Panel. Bill needs to define "ethnic people".

Any decision to reintegrate Manukau Leisure Services Ltd and Manukau Building Consultant Ltd back into Council should be postponed until the new Auckland Council is in place and can address the optimum structure for future service delivery of leisure and building regulatory services.

The ATA should be required to undertake only the minimum amount of work necessary to achieve consolidation in the area of building consenting and compliance without compromising current accreditation as a BCA and recognising that the Auckland Council has to achieve re-accreditation by November 2011.

Manukau City Council (957)

The ATA should have the ability to enter into Joint Ventures or Public-Private Partnerships as needed to ensure the Auckland Council can meet its waste minimisation obligations.

Morrison Low and Associates Limited (972)

It is crucial that the Select Committee recognises and affirms a strong commitment to a management of change process based on the principles of fair and just procedural process and best practice.

New Zealand Council of Trade Unions (512)

The Ethnic and Pasifika advisory panel should be appointed through the Council, not by the Mayor alone. Proposed section 13(1) (g) (iv) should be deleted so that the new Council can decide whether it wants a
Waterfront Development Agency as a CCO.

Tamaki Community Board (195)

**Keyword: Oppose**

The Auckland Council should be able to alter its own internal structures.

Edward Exton Fletcher (275)

Advisory Panels will no real power.

Grassroots Action Group (973)

Individual Submitter 10 (966)

The ATA needs to consult with existing local authorities about powers and responsibilities.

Janice Gardiner (075)

Elected Council should have input into this process and consult with existing Pasifika Board.

Patricia M Reade (712)

Oppose Clause 11(2) (cc). Support a democratic process that engages the affected communities, with the inclusion of youth participation.

Youthline (121)

**Keyword: Support**

Supports this proposal as it will enable greater representation and engagement from these communities. However, it is suggested that under the new Bill that the full elected council also have input into the establishment of this panel, rather than the Mayor alone. It is also recommended that the Panel is adequately resourced and funded by the Council.

ASB Community Trust (174)

Dee Austring (036)

Ian Denis Powell (746)

Support a democratic process that engages the affected communities through powerful, genuine consultation and quality relationships with the affected communities, with the inclusion of youth participation.

Jarad Bryant (363)

Shirin Brown (128)

Waiheke Island Community Planning Group Inc (WICPG) (741)

Support any additional provisions that would hasten or make more certain the best achievement of waste minimisation. Despite its support for the establishment of the Waterfront Development Agency, Waitakere City Council considers that the case has not been made for such urgency that would require the CCO to be established by Order in Council and not by the normal LGA process once the new Council has been established.

Waitakere City Council (194)
Local Government (Auckland Law Reform) Bill

Keyword: The Auckland Council should set up the Ethnic Peoples Advisory Panel(s) and not the Auckland Transition Agency

Existing Pasifika boards should be consulted on the establishment of the Ethnic Peoples Advisory Panel.

Alastair Jamieson (143)

Elected Auckland Council members must have input into the establishment of the Pacific Peoples Advocacy Panel and the Ethnic Peoples Advisory Panel, and existing Pasifika Boards should be consulted on this process, and not leave the rights to the Mayor alone.

Linda Kaiou (071)

Prue Elvidge (1207)

The Ethnic and Pasifika panels should be appointed through and by the Council, not by the Mayor alone. The new Council should decide whether and how it wants a waterfront development agency as a CCO.

The Labour Local Government Sector Council (958)

Keyword: The Auckland Council should set up the Waterfront Development Agency and not the Auckland Transition Agency

The Ethnic and Pasifika panels should be appointed through and by the Council, not by the Mayor alone. The new Council should decide whether and how it wants a Waterfront Development Agency as a CCO.

The Labour Local Government Sector Council (958)

Keyword: Transport - Should not be a CCO, should be Auckland City Council

The Transport Agency should be a business unit in the new super city.

Gerard Hill (802)

The transport agency should be run as an in-house business unit by the Auckland Council. The elected representatives must be held accountable for transport decisions.

Janice B Cruickshank (373)

The Transport Agency should be run as an in-house business unit by the Auckland Council. The elected representatives must be held accountable for transport decisions.

John N. Sloane (808)

Mark Donnelly (817)

Princes Street Branch, New Zealand Labour Party (837)

Keyword: Waste Management

Interest limited to aspects of the Bill that will affect the waste management industry in the Auckland Region. Concerned that private public partnership would financially benefit landfill and transfer station operators but would disadvantage all other waste companies and their customers.

Greenfingers Garden Bags Limited (749)

Ian Denis Powell (746)

Support the move for the preparation by the existing local authorities of detailed proposals, as per the Auckland Council’s waste management and minimisation plan for achieving long-term integrated waste
management and minimisation planning and services in Auckland (including proposals for managing waste contracts, leases and other arrangements in relation to waste). Look forward to a reassessment of Waste Services on Waiheke with a view to better waste minimisation.

Leith Duncan (811)

The Bill should be amended to provide for Auckland Council the potential consolidation of the solid waste assets, such as a regional organic waste processing facility, into a CCO, rather than a business unit as the Bill presently envisages. A proposed amendment to the Bill is made - see full submission for detail.

Living Earth Ltd (874)

The ATA's role of overseeing preparation of proposals for integrated waste management and minimisation planning and services in Auckland, and developing options for these matters, provides a unique opportunity for key industry stakeholders to assist in the development of a range of innovative options for the Auckland Council's consideration. O-I NZ considers that the current assets and arrangements for Auckland's waste could be restructured in such a way that would be hugely beneficial for the Auckland region's waste minimisation targets under the Waste Minimisation Act. It is submitted that in fulfilling its new duties under clause 11 of the Bill, the ATA should therefore be required to engage and consult with this commercial operators that are involved in waste management services and major recycling operations.

O-I New Zealand (827)

Propose that local boards be responsible for waste disposal and minimisation. Privately owned waste management facilities should be under the control of the Auckland Council. Auckland Council owned waste management facilities should be considered strategic assets and should not be privatised.

Sustainable North Trust (1216)

Agree with Section 11(2) (cb, i, ii)) on creating a region-wide waste minimisation plan.

Disagree with Section 11(2) (ii) and want local boards responsible for waste contracts, leases and any other waste management arrangements.

The Waste Resources Trust (735)

Clause 11 (2)
Essential for any consideration of a CCO for waste to be done in conjunction with waste industry participants operating in the Auckland region.

Clause 11(2) (cb)
Should include a requirement for the Auckland Council to engage and consult with waste service providers and waste generators to ensure that the best possible long-term integrated and waste management solutions for the region are achieved. For further details please refer to original submission.

Section 11(2) (cb) (ii)
ATA should be required to engage and consult with: commercial providers of waste management services, and waste generators.

Considers private sector best placed to deliver waste collection services.

Transpacific Industries Group (NZ) Ltd (729)

The ATA should be required to consult with the Council Controlled Trading Organisation and the third party and take into account any effects of proposed transition of assets and proposed CCO destination of those assets on the business operations of the join venture/enterprise.

The ATA should be required to consult with Waste Disposal Services, as an existing Council Controlled Trading Organisation, in relation to proposals for achieving long-term integrated waste management and minimisation planning and services.
Waste Disposal Services (953)
Clause 12 Appointment of electoral officer for October 2010

Ensure the same provisions are available to the Hauraki and Waikato District Councils to prepare for the elections.

Hauraki District Council (165)

Ensure clear provision of the appropriate authority for electoral officers to act in the areas currently in Franklin, but which will be required to elect representatives in Waikato DC and Hauraki DC.

Franklin District Council (509)

Should also refer to the Mt Wellington and Otara Licensing Trusts.

Tamaki Community Board (195)

Should refer to the Mt Wellington and Otara Licensing Trusts also.

The Labour Local Government Sector Council (958)
Clause 13 Appointment of interim Chief Executive for Auckland Council
Clause 14 Interim Chief Executive may appoint staff and enter into contracts

Request a statement be added requiring Chief Executive to consider volunteers within the Auckland Council staffing structure.

Kit Howden (065)
Local Government (Auckland Law Reform) Bill

**Clause 15 New section 18A Inserted**

**Keyword: Other Comments**

As network utilities use few local authority services the Bill should not preclude the Auckland Council from using rating methods other than capital value of land.

Bob Lack Counties Power Ltd (249)

The Auckland Council should decide the valuation system.

Auckland City Council (545)

The Auckland Council should be subject to the provisions of the Local Government (Rating) Act 2002 which allows the use of land, capital or annual value.

Local Government New Zealand (543)

Auckland must decide how their rates are calculated.

Robert Richards South Titirangi Ratepayers and Residents (541)

Should delete 'capital value' so that the Council can decide its own rating system.

Tamaki Community Board (195)

Should delete "being the capital value of land" so the Council can decide its own rating system.

The Labour Local Government Sector Council (958)

**Keyword: Oppose**

Council to decide.

Auckland District Council of Social Services (907)

Rating system should be determined by Aucklanders after the Auckland Council has been established, and not determined by the Bill.

Elizabeth de Man (282)

The rating system should not be specified in this Bill. There should be public consultation and a plan for equitable distribution of services and facilities.

All budgets for local boards should be honoured before budgeting for waterfront/central Auckland development from ratepayers’ funds.

Any rate increases or constraints need to be clearly identified in annual plan consultation processes and have a clear mandate from the communities affected.

SavePapakura (941)

Oppose capital rating system.

Titirangi Ratepayer and Residents Association (730)
The decision to set a uniform rate will override the Auckland Council's discretion under the Local Government (Rating) Act to set different rates for specified categories of rateable land. Vector opposes the use of capital value rating system for utility assets, and instead supports land value based rating for these assets. If a capital value rating methodology is maintained then the Auckland Council should retain its power to establish differential categories for rating.

Vector Limited (889)

**Keyword: Should be Annual Value**

Papatoetoe Community Board (199)

**Keyword: Should be Land Value**

Opposes the introduction of a rating system based on capital value (rather than land value) via this Bill. Aucklanders must have a say in how their rates are calculated and any changes should be authorised via a binding referendum of the people affected. Imposing a change in this way is undemocratic and will see rates double in many areas.

YouSay NZ (136)

**Keyword: Support Capital Value**

Support the use of capital value for setting rates but this clause should be amended to read "land and improvements". Land without buildings uses fewer services than land with buildings. Capital value is fairer and causes fewer distortions than other methods.

Would like a clause inserted to this section to limit rate increases to the CPI or less.

Gavin Logan (352)
Clause 16 Transition Agency may exercise powers under section 18 in certain circumstances

No submissions were received on this clause.
Keyword: Allocation of decision making to local boards

Local boards need to be given significant powers and resources to provide local communities with a say in decisions that affect them.

The Local Government (Auckland Law Reform) Bill should define specific responsibilities of Auckland Council and local boards. ATA Transition Agency role in defining responsibilities of local boards.

Alastair Jamieson (143)

Deciding the duties and responsibilities of Local boards has been delegated to the Auckland Transition Agency and for the future, allows for the Auckland Council to decide on the delegations to Local boards. The roles, functions and delegations to Local boards must be legislated for.

Allen Davies (148)

The Bill should specify the powers Auckland Council will have with all other powers reserved for local boards.

Andrew Miller (018)

The Bill does not give any clarity over the delegations, roles and responsibilities of Local boards, their relationship with the Auckland Council, CCOs and whether they will be required to operate within the parameters of a regional strategy and policy framework. The Bill's delegation of this work to the ATA undermines the democratic process as the ATA is not required to undertake any consultation with the public. Recommend that the scope, roles and responsibilities, delegation process and obligations of the Local boards be determined in the Bill; that the Bill state that Local boards must work in alignment with the overall policy framework set by the Auckland Council; and that the Bill states that the Local boards will be obligated to provide services in support of each of the wellbeings contained in the Local Government Act 2002.

Arts in the City Working Group (172)

The Bill does not give any clarity over the delegations, roles and responsibilities of Local boards, in particular the responsibilities for the 4 wellbeings, their relationship with the Auckland Council, CCOs and whether they will be required to operate within the parameters of a regional strategy and policy framework. The Bill's delegation of this work to the ATA undermines the democratic process as the ATA is not required to undertake any consultation with the public. Recommend that the scope, roles and responsibilities, delegation process and obligations of the Local boards be determined in the Bill. The Bill should state that Local boards must work in alignment with the overall regional policy framework set by the Auckland Council. The Bill should state that the Local boards will be obligated to provide services in support of each of the wellbeings contained in the LGA 2002.

Arts Regional Trust Te Taumata Toi-a-iwi (173)

It is essential that the Local boards have both resources and decision-making powers to meet the needs of the local community. The proposed legislation does not appear to go far enough in detailing the powers of local boards. Recommends that the minimum functions of Local boards be set out in legislation, with maximum functions enabled to evolve over time via a process of two-way dialogue and decision-making between the Auckland Council and each individual Local board.

ASB Community Trust (174)

Delegation of local functions to local boards should be done in accordance with the principle of subsidiary and
to give them a place shaping role.

The planning document is defined as the long-term council community plan in the Tamaki Makaurau Act so the new Council is able to amend it.

That the significance policy and the investment policy are included in the proposed new Schedule 2 of the Tamaki Makaurau Act.

Auckland Regional Council (916)

Local boards should have more powers, including: local transport issues; local civic amenities; local planning; and resource consent issues; regulation of restrict activities; and activities and programmes that promote community social and economic development and local pride.

Auckland Council should be required to develop a fair and equitable funding formula to allocate funds to local boards for carrying out their functions. The formula should take into account: population; social economic profile of community plans submitted by the local boards.

Avondale - Roskill Residents Association (ARRA) (205)

Concerned that the Bill does not provide any detail of the powers of local boards. It is important that the role, powers and duties of local boards are enshrined in legislation to provide clarity of purpose by ensuring that delegations and powers are not continuously revisited on a political whim. Local boards should also have the ability to represent local people on local issues. Local boards should have a vital role in shaping their community therefore it is important that Local boards are consulted with on all major issues affecting their local community by both the Auckland Council and CCOs. Would like to see it entrenched in legislation that the Auckland Council and CCOs must consult with Local boards on all issues affecting their communities.

Local planning and consenting issues should be delegated to the Local boards, including the power to be part of a panel hearing local resource consents. This will provide important local input and enable better connectivity with the place shaping role that the Local boards should have.

Birkenhead Northcote Community Board (852)

More detail on the role and responsibilities of local boards is needed in the Bill. There needs to be more certainty about the non-regulatory activities of local boards, for example, for at least two years after the transition. The Transition Agency should have the power to delegate regulatory activities to local boards so that activities within the community such as licensing and parking controls are maintained and overseen.

Botany Community Board (950)

Local boards must have powers and funding for local community needs. The Auckland Transition Agency should consult with existing local authorities on the initial allocation of powers and responsibilities to local boards.

Carol Symington (024)

Local boards should have more decision making responsibilities rather than the Auckland Council.

Caroline Mabry (233)

More power needs to be given to local boards to manage and fund local transport issues.

Citizens Transport Coalition (243)

City Vision (247)

The structure and the representation of Boards within the Auckland Council should also be defined. The resourcing of the Boards should be addressed in this legislation. There should be a specific definition of what constitutes regional and sub regional and how relationships between each of those and the Council will proceed.
Local boards should be able to both identify and address local arts needs and to fit into a wider arts framework. Legislation should ensure the development and preservation of community assets and the delivery of community based services. Empower local boards to facilitate asset transfer.

David Poole Estuary Arts Centre (285)

In order for the Local boards to have a truly 'placeshaping' role it is crucial that their functions should be clearly defined, substantive and meaningful. Their powers and functions should be enshrined in legislation to ensure clarity of purpose and clear delineation of responsibilities. If this clarity is not established, it will not be possible to give effect to the key principles of good governance: accountability, transparency, effective leadership and integrated decision-making.

Devonport Community Board (824)

The Bill should set out the powers and responsibilities of local boards, not the Auckland Transition Agency and not without consultation.

The cost/benefit analysis of the amalgamation and technology integration plans are detailed.

Don and Noreen Clark (944)

Communities should have control of any and all changes to the infrastructure that affect the style and quality of life in the community by democratically elected local councils.

Dr Tony Minervino (007)

The local boards, which are established to enable democratic decision-making by and on behalf of communities, must have the responsibilities and the necessary power and the budget to implement those responsibilities for the benefit of their local communities. There is no formal legislated relationship between the CCOs and local boards. The Board is mindful that what the ATA puts forward as local board responsibilities can be easily changed or rewritten by the Council in 2010, 2011 or subsequently. Any responsibilities delegated by the Council and/or a CCO must be sufficiently resourced with adequate support services. It is not sufficient just to legislate for the Auckland Council to adopt a funding policy for local boards. The legislation is silent on ensuring adequate funding for local boards, except through direct negotiation between the local board and the Council. The Board considers that there should be bulk funding for local boards for both capital expenditure and operational expenditure for small local infrastructure improvements and for grants to community organisations.

Eastern Bays Community Board (823)

The Bill does not give any authority to the community boards, does not say how many or where they will be (this is left up to the unelected Transition Agency to decide) and does not place any specific requirements on the Auckland Council to consult, pay attention or act on what the electorate says via the Boards. Both local arts funding and the management of community arts facilities like the Art Gallery will be affected as currently many smaller groups get funding through community boards and existing councils. Under this Bill there is no authority given to Boards and only one Council with 20 Councillors who have a million things to do.

Elisabeth Laird (281)

Local boards must be given significant powers otherwise local communities lose their voice altogether.

Elisabeth Van Alkemade (279)

The regional focus of Auckland Council and the local focus of local boards should be specified. The Auckland Transition Agency should be required to consult with the existing councils and community boards on its allocation of responsibility between the Auckland council and local boards.

Fiona Johnston (978)

George William Blanchard (053)
If the Boards were to be truly democratic and able to represent their communities they need more decision-making powers. It is not acceptable for a non-elected ATA to make decisions on transport, libraries, etc. Note that despite existing council policies and by-laws there is no protection for heritage and no provisions for urban design.

Gerard Hill (802)

The Bill must be strengthened to make the Government’s intention towards Local board powers clear. Local boards should have extensive decision-making powers on local issues.

Glenfield Community Board (163)

The powers of local boards should be elucidated in this Bill.

The Auckland Council should have power over and responsibility for all CCOs.

All stakeholders - the Auckland Council, local boards and CCOs write and agree to a policy to work in partnership.

Graeme Hammonds (980)

This Bill should define the powers and roles of Local boards not an unelected organisation appointed by the Minister, and, then have powers delegated by the Auckland Council.

Grassroots Action Group (973)

Strongly encourage the Select Committee to ensure that the local boards are given the powers that local communities deserve in a democratic society. This includes being allocated discretionary funding for community initiatives and local issues.

Gretchen Schubeck (294)

The Auckland Transition Agency should not have responsibility for allocating responsibilities. Local authorities should have the opportunity to have input into the process.

GW Powell (979)

No roles, functions or resourcing for the proposed Local boards have been established within the proposed legislation. The responsibility has been assigned to the ATA to define the roles and functions and to the new Auckland Council to determine allocation of local and regional issues. Impossible to make comment when no detail is known. The responsibilities that local board members will carry must be defined in legislation so that there is clear understanding of the roles and functions ensuring these roles and functions are not manipulated or amended upon subsequent changes of councillors and council representatives. A clearly defined structure of representation for Local boards within the Auckland Council is also necessary. The lack of detail concerning adequate resourcing for Local boards is also a concern. Adequate resourcing for Local boards is required to attract people with appropriate skills and experience

Henderson Valley Residents Association (803)

Local boards must have significant power to deal with local issues, in particular zoning and resource consents.

Ian and Barbara Dutton (747)

Local boards need the authority to control local issues.

Individual Submitter 10 (966)

There needs to be provision for local boards and Auckland Council to incorporate local
desires/aspirations/ideas into their plans. There should be mandated three-way communication between local representatives, volunteer groups, local boards and CCOs, where local groups desire it on issue impacting that local community.

Individual Submitter 9 (967)

Oppose the provision shifting responsibility to the Transition Agency for the powers and responsibilities of the local boards. The Government should clarify these powers or the Bill should require that the Transition Agency consult with the existing local authorities on the initial allocation of powers and responsibilities so that local communities will not lose their voice and local boards will have the ability to control local issues.

Janice B Cruickshank (373)

The roles of local boards need to be ratified by the people elected by the people of Auckland to the Auckland Council. The ATA should ask effective City Council community services departments to suggest specific functions best addressed by local boards. Decisions on local issues are best made by people representing local communities. Effective links between local boards and the Auckland Council need to be established to enable local boards to provide input to the Auckland Council.

Jean Silver (371)

More detail about the powers of local boards is required. The Bill should require that the Transition Authority consult with existing local authorities on the initial allocation of powers and responsibilities. More details relating to the powers of local boards is required to ensure that local boards will have the power to control local issues.

Jeffery Ronald Saunders (370)

Local boards need their powers defined in the Bill so that they will have the ability to communicate local needs and priorities to the Auckland Council

John Kirikiri (909)

Oppose the provision that shifts responsibility to the Transition Authority for the powers and responsibilities of the local boards. The Government should clarify these powers. At the very least, the Bill should require that the Transition Authority consult with the existing local authorities on the initial allocation of powers and responsibilities, so that local communities will not lose their voice and local boards will have the ability to control local issues.

John N. Sloane (808)

Residents want the Waiheke Local board to have the power to administer resource consents, develop a peri-urban design panel, have input into capital expenditure decisions and have input into planning decisions regarding Waiheke.

Judy Johannessen (910)

The Local board should be making the decisions for our community. The Bill does not set out what powers and responsibilities the Local boards have and if left to Auckland Council to decide it may end up with very few decisions being made by locally elected people. These powers, functions and responsibilities need to be in the Bill.

Kayla Mackenzie-Kopp (806)

Powers and responsibilities of local boards need to define in the Local Government (Auckland Law Reform) Bill.

Keith Sharp (1209)

The Transition Agency, and then the Auckland Council, will define the responsibilities, budget and powers of
Kim Walker (908)

Lack of defined power of local boards. Need for community partnership between the local boards and the Auckland Council and also between the local board and their various communities and ratepayer groups. Local boards should be responsible for the processing and decision-making on the resource management consents as they relate to the area. Larger, city-wide resource consents should be handled by the full Council.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

The new Auckland Council must invest in community-based organisations to develop and preserve community assets and deliver critical services. Local boards will be critical in facilitating this process because they have knowledge of individual local conditions, communities and their needs.

Kyle Parker (807)

Lack of effective representation and how the control of localised functions will be delegated.

Lance Taylor (601)

Local boards and Auckland Council investing in community based networking, local decision making and local infrastructure will be required for the future of the city.

Linda Oppenheimer (961)

This Bill should set out the powers of local boards, not the Auckland Transition Agency.

Lisa Er (964)

The functions of the Auckland Council and the local boards should be specified in legislation and the Local boards should have meaningful functions to undertake and a significant decision-making role.

Local Government Forum (877)

More detail is needed about the powers for local boards. ATA should consult with existing local authorities.

Luis Lachica (723)

Powers and responsibilities of local boards should be enshrined in the Local Government (Auckland Law Reform) Bill.

Lydia Sosene (1228)

Amend the Bill to strengthen the powers and functions of local boards, including the delegation of non-regulatory responsibilities to local boards. Clarification on the status of community boards is needed regarding the election of police to local authorities.

There should be provision made for linkages between the Auckland Council (executive arm and governance arm), local boards, CCOs, advisory bodies and other groupings to give effect to the Auckland Council’s strategic direction.

Manukau City Council (957)

There should be a word change in the principles for the allocation of decision-making responsibility for a non-regulatory activity of the Auckland Council from 'should' to 'will' be exercised by local boards unless (b) applies. The principle is contradictory to other parts of the Act and contradicts the idea of strengthening and place shaping communities on the basis that all local boards will be influenced by the decisions of the Auckland Council's governing body. Local boards need to be given real opportunities to meet the needs of their communities as far as they are able.
Manurewa Community Board (800)

These must have powers set from day 1, to allow for voters to make reasonable judgement on candidates, in relation to the roles they will perform. Local boards also need a relationship with CCOs, ie. that they are consulted on local impacts, and have meaningful input.

Mark Donnelly (817)

Clarify the powers and responsibilities of local boards.

Martin Bruce Roberts (818)

The Bill does not define the role of Local boards, their powers, resources and the processes by which they relate to the Auckland Council and its organisation. This leaves citizens no opportunity to affect or influence the powers of Local boards. The roles of Local boards need to be clearly spelled out in legislation.

Martin Sutcliffe (819)

The Bill should be amended so that local boards are able to represent their constituents. The boards should have clear decision making powers. If there is not enough time to change this provision, perhaps the delegation of the powers to the Boards could be determined by consultation with existing and current elected members on the local authorities.

Mary-Ann de Kort (822)

A clear process should be identified within the legislation regarding any decisions to allocate matters to a regional rather than a local basis. Adequate resourcing of these boards is important to attract people with appropriate skills and experience. Local boards should be empowered to focus on local community engagement and empowerment, and specifically, to make decisions about local issues. There needs to be more detail on how local boards will negotiate and agree with the Auckland Council for the achievement of their communities' goals and priorities.

Massey Matters (814)

Concerned that the role of local boards is not defined by this legislation.

Matthew McIvor (815)

Local boards and community groups should be empowered and enabled to create and resource initiatives that are important to them. Local communities should always be given access to input on issues that relate to their governance, in particular their social services, needs and wellbeing. Clear and accessible provision should be given to local communities to have input into and control over local economic development. Community ownership and/or control of Council owned assets should be provided for, to allow for the option of local communities to develop their own economic programmes based on an asset management or ownership and maximum utilisation.

McLaren Park & Henderson South Community Initiative Inc. (813)

Include the powers and functions of local boards in legislation.

Megan Courtney (743)

Local boards should have the ability to control local issues.

Mona and Bill Townson (093)

The Bill does not set out clearly the powers and responsibilities of the local boards. Oppose the provision that shifts powers and responsibility to the Transition Authority which could lead to local communities losing their voice.
The Bill does not guarantee that the Local boards will be delegated the intended functions and powers as this will be in the hands of the Governing body after the initial determination by the ATA up to 30 June 2011. The CCOs are not obligated to interact, collaborate or coordinate with the Local boards. The Transport Authority has the ability to delegate to Local boards but is not obligated to do so and the disputes resolution process specified in this Bill does not appear to cover this. There is also strong concern that CCOs, in particular Auckland Transport, can operate behind closed doors making decisions that will impact on local people without their knowledge or involvement. The preferred solution is for Local boards to be involved in the decision making process for local issues. Local boards need to have the ability to deal directly with Auckland Transport and other CCOs where there is local impact in respect of the work they are doing.

New Zealand Community Board Executive Committee (878)

There is lack of clarity on the roles, functions and budget-scales of Local boards. There is a lack of commonly determined vision and strategic direction between CCOs, Auckland Council and Local boards. The roles, functions and budget requirements of Local boards need to be fully aligned to the vision and aspiration of Auckland residents with opportunities for full democratic engagement and debate within a reasonable timeframe. There should be a process which engages Auckland residents to proclaim a vision and a strategic direction for the Auckland region which becomes the Auckland Council’s vision and strategic direction and is ‘trickled down’ through local boards and CCOs.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

The Bill lacks detail on the local board’s roles and functions. It is anticipated that local boards will allocate facilities and services within their areas. If the ATA decides that a certain function is better performed regionally, then it can decline to delegate it to Local boards. NSCSS is concerned that if Boards are not given sufficient powers, local communities will lose their voice and power will become centralised. Local boards should be empowered to focus on local community engagement, and specifically, to make decisions about local issues. There needs to be more detail on how Local boards will negotiate and agree with the Auckland Council for the achievement of their communities’ goals and priorities; how the Local boards are funded; how Local boards will be resourced and supported; and what will be the connectivity between the ATA and Local boards. It is important to ensure that Local boards have appropriate mechanisms for referring local concerns and issues to the Auckland Council and that there is also the mechanism for Local boards to work across boundaries at a regional level.

North Shore Community and Social Services (830)

The Auckland Transition should not be defining the powers of local boards - their powers should be defined in this Bill.

NorthWestern Community Association (936)

Powers and responsibilities of local boards should be defined in Local Government (Auckland Law Reform) Bill.

Olga Brochner (1213)

Local boards need to be defined. For further detail please refer to original submission.

Onehunga Business Association (721)

The Bill continues the effective sidelining of the Community Councils. Since they are given no responsibilities, no budgets and no staff they are clearly not intended to do anything.

Panmure Community Action Group (825)

Concerned about the lack of definition of the functions, duties and powers of local boards. In addition to the present powers, local boards should be able to: manage local parks and community facilities; advise Council
on local roading and streetscape requirements; organise, promote and provide appropriate financial assistance for local events; coordinate local environmental projects; promote local road and public safety; monitor and report to the Council on compliance with the Community Plan; and perform liquor licensing functions and powers of the District Licensing Agency.

Parnell Community Trust (828)

The powers and functions of Local boards must be enshrined in legislation, not left to an unelected body (ATA) in the first instance, and later subject to the whims of different political views.

Pat and Ron Watson (835)

Auckland Transition Agency should not be setting powers and responsibilities of local board. Local boards should have clearly defined powers and the ability to exercise regulatory powers; decision making; control local issues

Patricia M Reade (926)

The powers and responsibilities of local boards should be defined in this Bill.

Peter Aimer (931)

Peter Bartlett (928)

The budget and ability to decide important issues is poor for local boards. This should change to bring decisions closer to me and my family.

Pita Vete (836)

The powers and roles of the new Local boards have not been made clear and neither have the interim ATA powers been clarified for the general community. It is assumed that the Bill will define the powers and regulatory functions of the Local boards more clearly. Candidates will need precise information as to community representation and the best ways to represent the people.

Preserve the Swanson Foothills Society Inc. (838)

Concerned that the role of Local boards remains unresolved. Not acceptable to leave the decisions around these Local boards in the hands of an unelected organisations such as the ATA. Would prefer the government to clarify the powers of the Local boards as soon as possible. At the very least, ATA should be required to consult with the existing elected councils when deciding these powers.

Princes Street Branch, New Zealand Labour Party (837)

Disappointed that the Bill fails to specify the powers and functions of local boards. In the absence of a defined role for local boards, the ATA will be responsible for providing specificity. However, in the absence of explicit statutory references, defining that role will not default back to Auckland Council, which is geared to provide a local community interface nor capable of guaranteeing that local boards will enjoy meaningful responsibilities. Concerned that the absence of a defined role for local boards will further undermine the public's willingness to support change. Recommends that either the Bill be amended to specify the precise role and function of local boards; or Parliament introduces and passes urgent legislation to codify in statute the role and function of local boards, as recommended by the ATA.

Property Council New Zealand (839)

Local government (Auckland Law Reform) Bill should outline the powers and responsibilities of local boards. Powers of local boards should not be decided by the Auckland Transition Agency. Auckland Transition Agency should consult with existing local authorities on the powers and responsibilities of local boards.
Local boards will play a pivotal role in bridging the gap between community, elected representatives and council officials - they need to function as a meaningful and effective tier of government. Clarity is needed on the responsibilities of local board members, the minimum functions of the boards and the provision of adequate resourcing.

Raeburn House (921)

The powers and responsibilities of Local boards and their relationship with CCOs need to be clearly defined. The chairperson of each local board should be included in Council proceedings and have a vote on the Auckland Council. Local boards should be more than an advisory body.

Rainbows End and Rivers Environmental Group Inc. (922)

Local boards will not be guaranteed sufficient delegated power so that local knowledge informs local decisions.

Richard Pidgeon (924)

It is vital that the powers of the Local boards be retained so that they can deal with the local issues that their communities are concerned about. Auckland Council should only be involved in the larger regional issues.

Robin Linda Duke (840)

It should be the priority of the government to strengthen the powers and responsibilities of the existing Community Boards.

Robin Lorenz Hill (841)

The Auckland Transition Agency should not define the powers and responsibilities of local boards.

Robyn Laing (091)

The significant role already conferred on the local boards in communicating local preferences and priorities to the Auckland Council, need to be explicitly extended to be taken into account in forming the long-term strategic direction of the Auckland Council, its community outcomes and other strategic drivers.

Rodney District Council (976)

Local board will only be able to ask or propose.

Ruth Gordon (919)

Scott Griffiths (947)

How local government will continue to support the development of community, not-for-profit and volunteer organisations is not clear in the Bill. Also, need clarity on the relationship between community organisations and CCOs.

The Bill should contain a definitive statement outlining the powers of the local boards.

ShoreSafe (935)

Association has an important role in strengthening the local community and wants to see this maintained. In the Bill, the recommendation is that mainstreet and BIDS come under local boards but have no knowledge of the function, duties or powers of these boards.

St Heliers Village Association (843)
Do not have confidence that the voice of local communities will be given a fair hearing unless powers specified in legislation. Some issues have both a local element and a regional element which might make the Auckland Council reluctant to delegate. Have strong preference that the role of Local boards be specified in legislation where it is clear that the roles are largely local ones. There is widespread community support for the principle of subsidiary whereby tasks are delegated to the smallest unit able to undertake them. Recommend that the legislation spell out the role of Local boards in relation to the local activities of CCOs, for example in relation to local transport projects. Concerned that the central departments of Auckland Council should be accountable for the level of service they provide to Local boards and the Bill as drafted does not appear to ensure this.

St Heliers/Glendowie Residents Association (842)

Object to Local boards decision-making responsibility being restricted to 'non-regulatory' activity. This is inconsistent with clause 33 and it excludes local boards from making decisions on issues and processes that may be very significant for the local community it serves. Object to Local boards powers not being clarified in the Bill. Would like to see Local boards given substantial decision making powers and resources so they can choose which services of the city it wishes to use and which services they wish to provide for themselves. The Bill should also improve clause 6(6) defining and clarifying the consultation mechanisms and process that Auckland City has to follow in negotiating with Local boards. Would like to see a clause that puts a requirement on Council's governing body to negotiate seriously and in good faith with Local boards and to pay heed to local community wishes and values.

Sue Fitchett (846)

The Bill does not give local boards the power to make decisions for local communities.

Susan Washington (848)

Powers and responsibilities of local boards needs to be defined in the Local Government (Auckland Law Reform) Bill

Suzanne Dowling (1215)

The Bill has failed to define the powers and responsibilities of local boards, and has left this to the ATA, who are not elected. After transition, the Auckland Council will be able to determine what the boards will do. Concerned that this will set Auckland apart from the rest of New Zealand.

Suzanne Michele Weld (881)

This should require the allocation of decision-making responsibilities for the Boards and the Council to be made in consultation with existing Auckland local authorities and Community Boards. The Bill should specify some specific roles for the Council and for the Boards. It should also elaborate on the criteria in the second Act that the ATA must use in making this allocation, e.g. the local aspects of regional services must be determined by the Boards.

Tamaki Community Board (195)

Local boards need real local power to manage local issues and mediate with the Auckland Council on behalf of residents. The role of local boards must be clearly defined and agreed by elected members and the public well before the election.

No provision has been made for community wellbeing and environment protection in the new Council's mandate. Long-term council community plans must be integrated into the planning of the new Council.

Te Atatu Peninsula Business Association Inc (940)

Submitter recommends that the governance and operational arrangements of the Auckland Council must comprise a Tiriti o Waitangi framework incorporating and enabling the Crown's obligations to the spirit and intent of Te Tiriti principles - partnership, participation and protection.
The Bill needs to clarify how the concerns and requests of Local boards and their respective communities will be heard, acted on and resourced at the Auckland Council level.

Councils should still be required to deliver on 'community outcomes' such as social, environmental and cultural wellbeing.

Te Ora o Manukau (942)

The initial powers of the local boards will be determined by the unelected ATA. It is important that the local boards are given appropriate powers as the Auckland Council itself will not be able to appropriately represent local interests. Detail regarding the powers of the local boards should be specifically identified in the Bill. Failing that, such an important decision must be made by our elected representatives in consultation with the people of the Auckland region.

Tet Woo Lee (849)

The roles of local boards should be set by Parliament in the name of the people of Auckland so that they can be held accountable.

The Aucklander (130)

This should require the allocation of decision-making responsibilities for the boards and the Council to be done in consultation with existing Auckland local authorities and community boards. The Bill should also specify some specific roles for each of the Council and also for the boards, and also elaborate on the criteria on the second Act that the ATA must use in making this allocation.

The Labour Local Government Sector Council (958)

The powers and responsibilities of local boards need to be defined in the Local Government (Auckland Law Reform) Bill.

The Waterview Environmental Society Inc. (1218)

The Bill's failure to enshrine in statute specific competencies, powers and function of local boards constitutes a serious deficiency in the legislation. A requirement should be imposed in the ATA and the Auckland Council to take into account the views of existing local authorities with respect to which non-regulatory powers ought to be delegated to local boards upon the establishment of the Auckland Council. There is a significant threat to the decision-making control and democratic influence of local communities to determine their own affairs and represent their own interests posed by the centralisation of municipal power.

Thomas Walter Harvey (850)

Given the complexity and amount of issues that will have to be dealt with by the new Supercity and is Local boards, it is imperative that these functions, powers and responsibilities are defined and delegated as appropriate.

Three (893)

The Bill must include language that builds on the notion of subsidiary. The organising principle that matters ought to be handled by the smallest, lowest or least centralised competent authority. This determination cannot be left to the centralised council because by its nature it will always aggregate power and hence determine that all issues are "regional". Instead specific powers should be vested in the community boards with a right of appeal by the central council to an independent entity. Specific inclusion should be in the Bill that promotes diversity and transparency.

Tim McMains (851)

Define what the Local boards will do. Transition Agency should consult with existing Local Authorities on the powers and responsibilities of the Local boards.
Local Government (Auckland Law Reform) Bill

Titirangi Ratepayer and Residents Association (730)

Powers and responsibilities of local boards should be enshrined in the Local Government (Auckland Law Reform) Bill. Local communities need to have guaranteed input into local board decisions.

Tony Mayow (1219)

Local board responsibilities and a budget formula must be set out in legislation. See original submission for further detail.

Tony Siu (736)

Local boards should be able to make important decisions for the community. The legislation should give boards list of specific powers. Elected representatives must decide what decisions are Auckland Council’s responsibilities and what decisions local boards make, not the ATA.

Val Wynd (854)

Unless the powers of local boards are enshrined in legislation they will merely be delegated and left to the whim of the council. Local decisions should be made locally, and only regional decisions should be made regionally by the Auckland Council.

The powers and delegations of the Waiheke Local board need to be significantly more than they are presently, and stronger than those of other local boards, in recognition of its geographic isolation, tourism potential, environmental aspects and the high level of community engagement in local decisions.

There is no detail in this Bill of the functionality of local boards. Local boards need to be given sufficient power and authority to make local decisions. There needs to be clarity around the roles and responsibilities for local boards and the rates of remuneration need to be sufficient to ensure good people stand for the local boards. There needs to be appropriate levels of support for local boards to allow them to carry out their roles effectively.

Waiheke Community Board (894)

More certainty is required in legislation to ensure that Local boards will have the ability to control local issues. Oppose provisions that shift responsibility to the ATA. At least, local authorities should have opportunities for effective input into the process.

Warwick and Hueline Massey (862)

Submits that the ATA consult with the existing local authorities on the initial allocation of powers and responsibilities.

Wendy John (868)

Auckland Council should be responsible for regional matters and Local boards should be responsible for local matters, presiding side-by-side over their respective responsibilities and tasks. Local boards should have full speaking rights at meetings of the Auckland Council. Recommends that local boards are renamed community councils. CCOs should consult with Local board on issues impacting their ward.

Western Bays Community Board (952)

It is essential that the Local boards have the power to control and regulate what happens locally. The bill must clearly define what the Local boards will do in order for the public to have confidence that the Auckland Council will function effectively. The Transition Authority should be required to consult with the existing local authorities on the initial allocation of powers, responsibilities and resources for the Local boards. The minimum functions of the Local boards should be defined in the legislation with the maximum powers allowed to evolve over time, the Auckland Council and the Local boards understand what is required of them and how best to achieve that.
Local Government (Auckland Law Reform) Bill

YouSay NZ (136)

**Keyword: Other Comments**

Bill should specify specific roles

Auckland District Council of Social Services (907)

Truly democratic processes should be incorporated into the powers of the Auckland Council and local boards. The roles, functions and budget requirements of Local boards should be fully aligned to the vision and aspiration of Auckland residents with opportunities for fully democratic engagement and debate within a reasonable time frame.

April Nicholson Te Ukaipo Mercy Initiatives for Rangatahi Ltd (536)

Set out allocation of responsibilities in legislation rather than delegate to unelected, unaccountable officials in ATA. Local boards should have a baseline budget formula set out in legislation incorporating

- Population of the ward
- The socio-economic need of the ward
- The planned growth of the ward.

Barbara Lucy Baragwanath (216)

To recognise local interests and rural concerns the Bill should provide that the ATA initially and the Auckland Council governing body thereafter must:

- delegate to the Local boards all decision making responsibility which can reasonably be delegated to them, plus all decision-making responsibility the Local boards request unless such request is denied by a super majority of, say, 75 per cent of Councillors; and
- provide such resources and staff as necessary to allow the local boards to carry out these responsibilities efficiently.

Bob Lack Counties Power Ltd (249)

Does not define the roles and responsibilities of Local boards. Concerned over the relationship that art organisations will have with the Auckland Council and /or Local boards. Concerned that Local boards will not be adequately resourced to enable the adequate support of community arts organisations. How will organisations that are neither regional nor sub regional continue to be funded?

Brenda Magee North Shore Theatre and Arts Trust (514)

Call on the Government to clarify the owners and responsibilities of Local boards in this legislation, not leave it up to the ATA to arbitrarily make these decisions. The Bill also needs to establish how CCOs will collaborate with Local boards. The purpose of Local boards is expanded to include:

- facilitating decision-making a local level to enable local place shaping, the formation of local identity, and local community development;
- providing for an effective integrated voice for the local community at Council level;
- giving effect to the vision for Auckland while simultaneously fulfilling local aspirations and visions; and
- specific provision is made for CCOs to develop working relationships with Local boards to ensure that the CCOs take account of local community interest and that Local boards take into account CCO interest.

Chris Everitt (97656)

Should incorporate clear restraints on ATA’s power to establish the role, functions and resourcing of local boards, with clear signals about the links and accountability CCOs to local boards.

Christine Ross PSA (550)

More certainty is required in legislation to ensure that Local boards will have the ability to control local issues.
It should not be left to the ATA, or any individual, to make such critical decisions. At the very least existing local authorities should have every opportunity for effective input into the process; they have real-life experience of the complexities and difficulties of local body administration within their existing areas.

Craig Vincent Powell (264)

Powers and responsibilities of Local boards are not set out in the Act. Too many decisions may be made by the Auckland Council. Not acceptable for ATA to allocate powers and responsibilities.

Denise Roche (263)

Responsibilities should be set out in legislation, not delegated to unelected, unaccountable officials. A baseline budget formula should incorporate:

- population of the ward;
- socio economic need of the ward; and
- planned growth of the ward.

Donna Wynd and David Benson (100)

The powers and responsibilities of local boards should be included in the legislation.

Dr Alison Towns (320)

No powers for Local boards in the Bill. ATA not required to consult with any elected authority before making a decision. Require the ATA to consult and take into account the views of elected councillors and community boards.

Dr Catherine Harvey (273)

Require ATA to receive and consider public submissions on the allocation of decision making responsibilities between Auckland and the 19 Local boards.

Eriata Peri Auckland Public Health Service (185)

Responsibility and oversight for industrial Business Improvement Districts such as North Harbour, Greater East Tamaki an Rosebank, be treated as a regional responsibility of the first tier of Auckland Council governance outside of Local board jurisdiction.

Gary Holmes North Harbour Business Association (516)

The northern board (Rodney) will need to be fully empowered on regulatory and planning matters. The northern portion of Rodney District should not have been included in the new Auckland as it has different values and aspirations than urban Auckland. To adequately service this rural and lifestyle area a large degree of autonomy and self-governing ability must be allowed. It’s not practical or realistic to expect an urban elected council to adequately represent and service northern Rodney.

Geoffrey Johnston (306)

Local boards will need specifically defined powers to hold the Council its officers accountable.

Great Barrier Community Board (739)

Grant significant, substantial owners to the local boards, so they can control local issues.

Hilary Jones (5442)

The powers and responsibilities of local board should be included in the legislation.

Hilltrud Grueger Springleigh Residents Association (542)

Concern that local boards have limited powers. Local boards need to have more say in their local
Local Government (Auckland Law Reform) Bill

communities not less.

Ian Gordon (502)

Fails to set out the powers and responsibilities of local boards.

Individual Five (552)

Clarify the statutory purpose of Local boards and define the relationship between the boards and CCOs.

Purpose of Local boards to include:

- facilitating and enabling integrated decision-making to enable local place shaping, the formation of local identity and local community development;
- making and implementing decisions about local issues;
- giving effect to the vision of the Auckland Council and marrying this with local aspirations and visions; and
- specific provision be made for CCOs to develop working relationships with Local boards to en sure the aspirations, needs and priorities of local communities influence the operation of the CCOs, and the operational issues of the CCOs are considered in the work of the Local boards.

Janet Cole Community Coalition 4 Auckland (262)

Boards must have real roles and be in charge of appropriate budgets to allow them to act in the interests of local communities. Local boards could fund community schemes such as halls, libraries, local parks, etc.

Jo Quartermass Huia-Cornwallis Ratepayers and Residents Association Inc (500)

Local boards be appointed democratically. Local boards must be given real powers. A system of communications be set up promptly so that local needs and priorities can be assessed and actions taken quickly through the Council and the Local boards. Urge that the ATA be given the right to make decisions concerning the Council the local boards. The Council must not have the right to scrap the ATA directives. A process must be set that allows discussion and actions that benefit the people. The people should be informed about the procedures being taken by the ATA and the people should decide when the ATA has completed it role.

Joan Isabel Barton (8786)

The powers of Local boards need to be represented so they can control local issues.

John Railton (5635)

Local boards should be making in decisions for the community. The Bill does not set out the powers and responsibilities of Local boards.

Jon Randall Farrant (355)

The powers and responsibilities of local boards should be included in the legislation.

Karen Brown (7674)

Provide that the ATA must use its best endeavours to produce the initial planning document in accordance with the requirements in Schedule 2.

Auckland City Council (545)

Amend to include a clearer definition of what powers the Local boards should have.

Lucy Hawcroft (555)

Resourcing appropriate for Local boards is legislated to ensure its continuation at appropriate levels. Minimum functions of Local boards are set out in legislation, with maximum functions enabled to evolve over time via a process of two-way dialogue and decision making between the Auckland Council and each
individual Local board. The Bill should state that Local boards must working alignment with the overall policy framework set by Auckland Council. The Bill should state that the Local boards will be obliged to provide services in support of each of the well beings contained the Local Government Act 2002.

Lynn Lawton The Depot Artspace (267)

Powers of community boards must be real and must deal with all matters of significance that are not city wide.

Margaret Mills (8765)

Local boards must retain significant powers so that they can control local issues and that local issues aren’t lost among the vastness of the new structure.

Margie Thomson (8465)

For Local boards to communicate the interests and preferences of the people in their area in respect of the strategies, policies, plans and bylaws of the Council the legislation must include detail on how this is to be done. The UK’s Statement of Community Involvement is suggested as a model.

Marijke Ransom (9817)

Local boards should, by agreement, be able to manage their own local facilities. This would include project management, etc required through the local plan and Local Area Agreement process from concept through to completion.

Maurice Hinton (786)

Suggests wording amendment to the Act. Leaving "should" in subsection (2) of the Act will allow the governing body to claw back any decision under the term "effective".

Maurice Hinton (776)

Of concern if economic development is split from the Auckland Council and given solely to a CCO their voice will be lost. Messages may be relayed through a third party who may not fully understand the issues that concern us or may have superficial understanding of our town. Some of the targeted rate funding may have to go to this third party, reducing the amount available for them.

Mrs Chris Sutton Panmure Business Association (517)

Clause is fit for purpose. The Local boards have to be subordinate bodies or we are moving from 8 to 20 councils in Auckland and will continue to suffer from fragmentation. Powers and functions of Local boards must be enshrined in legislation.

Neil Miller (522)

The submitter supports a unitary Council comprising a governing body led by an executive Mayor and its local boards. Local boards lead and oversee the provision of local services and amenities. The proposal includes descriptions of the duties, functions and responsibilities of each component of the organisation and arrangements relating to the governance of CCOs. Refer to the submission for further detail.

New Zealand Council for Infrastructure Development (949)

There should be clear constraints on what the ATA can and cannot do, and their role should strictly limit to the functions required for transition. There must be detail now about the powers and role of responsibilities of local boards and their resources.

New Zealand Council of Trade Unions (512)

Local boards need to have a defined role in supporting community based organisations in the operation of community owned assets and facilities.
New Zealand Federation of Voluntary Welfare Organisations (1221)

The Bill requires the Transition Agency to act as a local authority and must make a long-term council community plan and must therefore be responsible for making decisions on ratings.

New Zealand Refining Company Limited (969)

The Bill needs to clearly define the governance structure, functions, duties and powers of the Auckland Council including decision making and promoting social, economic, environmental and cultural wellbeing.

Noelene Buckland (945)

Will have an impact on the bureau, organisation and community.

Otara Citizens Advice Bureau Inc (826)

The nature and representation of the local boards (undemocratic) plus the lack of clarity at this very late stage, and the alarming total centralisation of power which this leads to.

Pam Sellers (524)

The powers and functions of Local boards must be enshrined in legislation, not left to an unelected body (ATA). Local communities must have guaranteed ways to input either thought the Local boards or separately into the activities of the CCOs. Community economic development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO.

Pam Unkovich (525)

The Government should, in consultation with the elected councils, decide these powers.

Pamela Mills (519)

Strengthen by replacing "should" with "will" so decision-making responsibilities will be exercised by local boards unless paragraph (b) applies. Change to the ATA’s allocation of responsibilities should only be allowed in the first two years but only with the agreement of all the parties affected. ATA should be able to allocate regulatory responsibilities.

Papatoetoe Community Board (199)

The Auckland Council must support community based organisations to develop and preserve community assets and deliver community related critical services.

Patrisha O’Sullivan (527)

More detail regarding the powers of local boards is required to ensure that local communities will have a voice and the ability to control local issues.

Peter Joyce (526)

Territorial authorities rather than the ATA should decide the powers of Local boards.

Peter McCurdy (530)

The Auckland Council is required to ensure local boards have the power to make decisions on the local characteristics of activities that also have sub regional or regional characteristics.

Peter McKinlay Institute of Public Policy (368)
Clarify the powers and responsibilities of Local boards. The allocation of decision-making responsibilities for the boards and the council to be done in consultation with existing Auckland local authorities and community boards.

Pippa Coom Grey Lynn 2030 (293)

The Auckland Council needs to have oversight of CCOs so that they are accountable to the people of Auckland.

Richard Thumath (925)

That the ATA, an unelected and unaccountable body, has the power to define the powers and responsibilities of local boards is unacceptable.

Robert and Margaret Coldham (533)

Define Local boards’ powers in legislation.

Robert Richards South Titirangi Ratepayers and Residents (541)

The powers, functions and responsibilities need to be in the Bill.

Sandro Kopp (546)

Local boards need legislated powers and resources in order to properly function and provide confidence to the public.

Sigrid Shayer (538)

The budget and ability to decide important issues is poor for local boards.

Sione Tauliaki (540)

The Council needs sufficient powers to enable waste minimisation.

Sustainable North Trust (917)

Rodney has not had Community Boards since 1992 and communities have been represented by Ratepayers Associations. With 1 councillor and seven local boards' members, the continuing importance of Ratepayers Associations needs to be recognised.

Taupaki Resident and Ratepayers Association (939)

The Bill should clearly state the powers and responsibilities of Local boards.

Terry Anne Beazer (537)

Powers of local boards needs to be clearly spelt out.

Tonga Confederated Society of New Zealand (733)

Legislation needs to be clearer on the roles and resourcing of local boards. No mention of relationship with the Māori Board and CCOS as well as the advisory panels.

Tuou Manapori Pacific Islands Advisory Committee (513)

It should not be left to the Transition Authority or any individual to decide on the powers of local community boards. Such powers should be carefully considered and mandated by the bill as part of the legislation controlling such bodies. The present authorities should have input into the requirements to be placed on the new Local boards.
Local Government (Auckland Law Reform) Bill

Valma and Ernie Gidman (133)

Keyword: Oppose

A Young (742)

The Bill should specify the powers Auckland Council will have with all other powers reserved for local boards.

Andrew Miller (018)

This clause gives to the unelected Auckland Transition Agency the power to decide the powers and responsibilities of local boards within Auckland. This process lacks transparency, democracy and accountability. Parliament should decide these questions.

Anne Priestley (154)

Local boards must have powers and funding for local community needs. The Auckland Transition Agency should consult with existing local authorities on the initial allocation of powers and responsibilities to local boards.

Carol Symington (024)

Clarify the powers and responsibilities for Local boards.

Catherine Lee (236)

Responsibilities must be set out in legislation. Also, a baseline budget formula set out in legislation and should include: population of the ward; socio-economic need of the ward; and the planned growth of the ward. Auckland Transport lacks sufficient emphasis on public transport infrastructure planning.

Child Poverty Action Group (244)

The Bill should set out the powers and responsibilities of local boards, not the Auckland Transition Agency and not without consultation.

The cost/benefit analysis of the amalgamation and technology integration plans are detailed.

Don and Noreen Clark (944)

Why are powers being decided and imposed by the unelected ATA?

Doris de Pont (269)

Dr John Salmon (037)

Oppose Section 17 sub section 1"(1C)".

Edward Exton Fletcher (275)

Local boards need to be given the power to regulate local issues.

Emily Smith (286)

George William Blanchard (053)

Oppose the provision shifting responsibility to the Transition Authority for the powers and responsibilities of the local boards. The Government should clarify these powers or the Bill should require that the Transition Authority consult with the existing local authorities on the initial allocation of powers and responsibilities so that local communities will not lose their voice and local boards will have the ability to control local issues.
Oppose the provision that shifts responsibility to the Transition Authority for the powers and responsibilities of the local boards. The Government should clarify these powers. At the very least, the Bill should require that the Transition Authority consult with the existing local authorities on the initial allocation of powers and responsibilities, so that local communities will not lose their voice and local boards will have the ability to control local issues.

Powers and responsibilities of local boards need to be defined in the Local Government (Auckland Law Reform) Bill.

Local boards should be given the authority to make decisions. The ATA must consult with existing local authorities on the initial allocation of powers and responsibilities. Government must clarify the powers and responsibilities of the local boards as soon as possible so Auckland can consider who may have the relevant skills and expertise, and commitment to their communities.

Local boards need sufficient powers enshrined in law to effectively influence decision making and meet the needs of their communities.

This proposal attempts to homogenise a non-homogenous entity, ie. Auckland City. Different approaches for different areas works. Local authorities must retain local control. Some overview is desirable, but full remote control is not.

More detail needed on the roles, functions and resourcing of the local boards.

Local boards should have the ability to control local issues.

The Auckland Transition should not be defining the powers of local boards - their powers should be defined in this Bill.

Powers and responsibilities of local boards should be defined in Local Government (Auckland Law Reform) Bill.
Local boards need to be defined. For further detail please refer to original submission.

Onehunga Business Association (721)

Need more detail relating to the powers of the local boards to ensure local boards will have the ability to control local issues. Auckland Transition Agency should not be setting powers and responsibilities of local board. Local boards should have clearly defined powers and the ability to exercise regulatory powers; decision making; control local issues

Patricia M Reade (926)

Paul D. Scott (929)

The powers and responsibilities of local boards should be defined in this Bill.

Peter Aimer (931)

Peter Bartlett (928)

The powers of the Local boards should not be decided by the unelected, undebated ATA. The present local authorities must have a say in defining the powers of the boards on behalf of the people they represent.

Peter McCurdy and family (810)

Powers and responsibilities of local boards should be included in the legislation.

Peter Thomspn (717)

Local government (Auckland Law Reform) Bill should outline the powers and responsibilities of local boards. Powers of local boards should not be decided by the Auckland Transition Agency. Auckland Transition Agency should consult with existing local authorities on the powers and responsibilities of local boards.

Prue Elvidge (1207)

Local boards will play a pivotal role in bridging the gap between community, elected representatives and council officials - they need to function as a meaningful and effective tier of government. Clarity is needed on the responsibilities of local board members, the minimum functions of the boards and the provision of adequate resourcing.

Raeburn House (921)

The Auckland Transition Agency is not the appropriate entity to determine the powers and responsibilities of local boards to the Auckland Council. The roles of local board members should be set by Parliament in the name of the people of Auckland so that they can be held accountable.

Richard Challis (923)

Local boards will not be guaranteed sufficient delegated power so that local knowledge informs local decisions.

Richard Pidgeon (924)

The Auckland Transition Agency should not define the powers and responsibilities of local boards.

Robyn Laing (091)

Local board will only be able to ask or propose.

Ruth Gordon (919)
Scott Griffiths (947)

Stephen Moore (124)

The Bill fails to set out the powers and responsibilities of the Local boards. The Boards must be given significant powers and the ability to control local issues to ensure that the local community do not lose their voice.

Su Yin Khoo (845)

See original submission for more detail.

Susanne Vincent (726)

Powers and responsibilities of local boards needs to be defined in the Local Government (Auckland Law Reform) Bill

Suzanne Dowling (1215)

The initial powers of the local boards will be determined by the unelected ATA. It is important that the local boards are given appropriate powers as the Auckland Council itself will not be able to appropriately represent local interests. Detail regarding the powers of the local boards should be specifically identified in the Bill. Failing that, such an important decision must be made by our elected representatives in consultation with the people of the Auckland region.

Tet Woo Lee (849)

The roles of local boards should be set by Parliament in the name of the people of Auckland so that they can be held accountable.

The Aucklander (130)

Concerned that the powers of local boards will not allow them to be able to make decisions in their area.

Trevor G Bridge (119)

Local boards should receive 70 per cent of local rates. For further detail please refer to original submission.

Waiheke Gulf News (740)

The Bill fails to set out the powers and responsibilities of the Local boards. The Boards must be given significant powers and the ability to control local issues to ensure that the local community do not lose their voice.

Su Yin Khoo (845)

**Keyword: There should be consultation on planning document**

A Young (742)

City Vision (247)

The Bill should set out the powers and responsibilities of local boards, not the Auckland Transition Agency and not without consultation.

The cost/benefit analysis of the amalgamation and technology integration plans are detailed.

Don and Noreen Clark (944)

Communities should have control of any and all changes to the infrastructure that affect the style and quality
of life in the community by democratically elected local councils.

Dr Tony Minervino (007)
Oppose Section 17 sub section 1"(1C)".

Edward Exton Fletcher (275)
Local boards must be given significant powers otherwise local communities lose their voice altogether.

Elisabeth Van Alkemade (279)
Local boards need to be given the power to regulate local issues.

Emily Smith (286)
The regional focus of Auckland Council and the local focus of local boards should be specified. The Auckland Transition Agency should be required to consult with the existing councils and community boards on its allocation of responsibility between the Auckland council and local boards.

Fiona Johnston (978)
This Bill should define the powers and roles of Local boards not an unelected organisation appointed by the Minister, and, then have powers delegated by the Auckland Council.

Grassroots Action Group (973)
The Auckland Transition Agency should not have responsibility for allocating responsibilities. Local authorities should have the opportunity to have input into the process.

GW Powell (979)
The Council believes that a pragmatic solution is required for a process of developing a new Hauraki long term council community plan with common policies to apply across the extended area would best be undertaken for the 2012-2022 LTCCP.

Hauraki District Council (165)
More detail is needed about the powers for local boards. ATA should consult with existing local authorities.

Luis Lachica (723)
NorthWestern Community Association (936)
Local boards need to be defined. For further detail please refer to original submission.

Onehunga Business Association (721)
Auckland Transition Agency should not be setting powers and responsibilities of local board. Local boards should have clearly defined powers and the ability to exercise regulatory powers; decision making; control local issues

Patricia M Reade (926)
Paul D. Scott (929)
Scott Griffiths (947)
The workstreams adopted to progress the transition do have any community reference groups.
Sir Harold Marshall KNZM (117)

Stephen Moore (124)

This should require the allocation of decision-making responsibilities for the boards and the Council to be made in consultation with existing Auckland local authorities and Community Boards. The Bill should specify some specific roles for the Council and for the boards. It should also elaborate on the criteria in the second Act that the ATA must use in making this allocation, e.g. the local aspects of regional services must be determined by the Boards.

Tamaki Community Board (195)

Local boards need real local power to manage local issues and mediate with the Auckland Council on behalf of residents. The role of local boards must be clearly defined and agreed by elected members and the public well before the election. No provision has been made for community wellbeing and environment protection in the new Council's mandate. Long-term council community plans must be integrated into the planning of the new Council.

Te Atatu Peninsula Business Association Inc (940)

Define what the Local boards will do. Transition Agency should consult with existing Local Authorities on the powers and responsibilities of the Local boards.

Titirangi Ratepayer and Residents Association (730)

**Keyword: Timing before elections**

The Bill fails to set out the powers and responsibilities of the Local boards. The boards must be given significant powers and the ability to control local issues to ensure that the local community do not lose their voice.

Su Yin Khoo (845)
Question the need to establish an Auckland Waterfront Agency with responsibility for the development of Auckland's waterfront. Section 35G makes provision for ATA to do this by an Order in Council that specifies the Agency's objectives, structure and functions. Such an Agency will be duplicating planning and development functions and responsibilities expected of Auckland Council. The omission from the Bill of any details on the role, functions and responsibilities of the WDA and how it is intended to work together with Auckland Council and other constituent organisations is a weakness of the Bill and needs clarification and consultation to take account of the views of Auckland authorities and stakeholders. An 'in house' Council committee might be a more effective and ‘value for money’ option than a CCO agency.

Auckland Chamber of Commerce (175)

Auckland Regional Council recommends Clause 18 is deleted and that the waterfront development agency is established in the same manner as other new CCOs using the process proposed in section 35G of the Tamaki Makaurau Act.

Auckland Regional Council (916)

The transfer provisions set out in Clause 24 of the Bill will not apply as Auckland Regional Holdings is not a terminating organisation. The Bill in its current form does not cover the transfer of Auckland Regional Holdings assets in the Wynyard Precinct to the Waterfront Development Agency.

Auckland Regional Holdings (050)

New Council decides entirely on waterfront development agency.

Auckland District Council of Social Services (907)

Planning bodies must be required to meet a very high standard of performance under section 32 of the Resource Management Act.

Great Barrier Community Board (739)

Supports.
Supports Ministerial appointments to the WDA.
Enable the ATA to constitute the WDA on or before 1 November.

Kaaren Goodall Committee for Auckland (265)

Amend Bill to clarify if the Transition Agency will set the objectives of the Waterfront Development Agency or if an Order in Council will be required; who is responsible for appointing the initial directors of the board; whether a review of the effectiveness and future of Waterfront Development Agency will be conducted.

Manukau City Council (957)

The Bill should cover the following key points:
- the WDA is in place at discretion of the Auckland Council, but must be kept in place until July 2012;
- the WDA is subject to the provisions of the council district plan and other master plans relating to the waterfront ie it has no regulatory power in its own right;
- in formulating it plans, the WDA will be required to consult other waterfront stakeholders; and
- the WDA is not permitted to participate in consent applications outside its own landholdings.
The concept of an Agency is supported in principle but its success will depend on the details of its purpose, specific functions and conduct of relationships with stakeholders and other agencies. The membership of the board should include representatives from other CCOs, central government and Ports of Auckland Limited. It is recommended that the commercial activities and area of Ports Of Auckland Limited be excluded from the Agency's functions.

New Zealand Council for Infrastructure Development (949)

Council committee rather than a CCO for this function.

Peter Atkinson the Employers and Manufacturers Association (Northern) (551)

The waterfront mainly benefits the CBD. Put under the Auckland Council as it will provide the collaboration and input of a variety of ideas that ensures balance and community focus. Make the Waterfront Development Agency a department or committee of the Auckland Council, publicly account and under direct council control.

Ross Williams (532)

Despite its support for the establishment of the Waterfront Development Agency, Waitakere City Council considers that the case has not been made for such urgency that would require the CCO to be established by Order in Council and not by the normal LGA process once the new Council has been established. Council suggests that changes should be made to the provisions about the Waterfront Development Agency (see original submission for detail of proposed amendments.

Waitakere City Council (194)

**Keyword: Opposed to the establishment of a Waterfront Development Agency**

Edward Exton Fletcher (275)

Jonathan Godfrey (705)

The proposal to establish a Waterfront Development Agency should be deleted from the Bill. The Auckland Council's legitimate responsibilities for the development of the waterfront should rest with the Council.

Local Government Forum (877)

The Auckland Council should have responsibility for the establishment of this CCOs.

SavePapakura (941)

Section 19B should be deleted so the new Council decides entirely on any waterfront development agency. Alternatively it should be amended to have the new Council, not the ATA, establish the WDA and clarify that it is only for a section of the Waitemata waterfront contiguous with the CBD and for Westhaven and not for Devonport, Hobsonville or Onehunga for example.

The Labour Local Government Sector Council (958)

**Keyword: Support for the establishment of a Waterfront Development Agency**

Submitter proposes that the Waterfront Development Agency be required to develop the waterfront in line with the Spatial Plan and include the development of a Regional Arts Strategy.

Auckland Theatre Company (975)

Must include the Waitemata Harbour.

Onehunga Business Association (721)
Keyword: WDA boundaries

Should either be deleted so the new Council decides entirely on any waterfront development agency or be amended to have the new Council, not the ATA, establish the Waterfront Development Agency and clarify that it is only for a section of the Waitemata waterfront contiguous with the CBD and for Westhaven.

Tamaki Community Board (195)
Keyword: Other Comments

Auckland Regional Council recommends that section 21B(3)(b) is amended to provide for any contract, lease or other agreement to be consistent with the procurement requirements for the New Zealand Transport Authority which are set out in the Land Transport Management Act.

Auckland Regional Council (916)

Submitter proposes options for a new section is inserted by clause 19C of the Bill. The proposals would establish a solid waste service and enable the establishment of public-private partnership. Refer to submission for proposed amendments.

EnviroWaste (284)

Insert "interim" into clause to avoid confusion.

Rodney District Council (976)

Keyword: Oppose

Auckland Council should appoint Chief Executive of Auckland Transport.

New Section "21C" should be deleted.

Edward Exton Fletcher (275)

Susanne Vincent (726)
Clauses 20 New section 26A inserted

Keyword: Oppose

Edward Exton Fletcher (275)

Delete. The Transitional Agency should be subject to heightened information disclosure and financial reporting obligations to ensure that as a non-democratic, quasi-governmental institution it operates transparently and its decisions receive appropriate scrutiny.

Geoffrey John Beresford (350)

Jonathan Godfrey (705)
Keyword: Other Comments

The Hauraki District Council will need to include the eight month period of the Franklin 2010/11 Annual Plan into its Annual Plan for 2010/11. The Hauraki District Council will have to fund any shortfall in the area being transferred from Franklin District. Provision should be made for funding any imbalances that may arise.
Keyword: 29D Obligations of existing local authorities in relation to October 2010 Triennial general elections

Amend to include provision for Waikato DC and Hauraki DC bylaws to become operative in areas that will become Waikato and Hauraki DC after 31 October 2010.

Franklin District Council (509)

Amend Clause 22 so that "polling day" is replaced by "election day" as per the Local Electoral Act. Amend to include clarification that providing for regulation of selection signs only within the two month period prior to the election is not intended to restrict the right to display signs prior to that two month period, for example:

3(1) A sign may only be displayed at anytime within the 2 months preceding the election” or
3(4) nothing in this clause prevents the lawful display of any sign prior to the 2 months preceding the election”

Manukau City Council (957)

Council in general supports the development of consistent guidelines for election signage, however the Council is concerned that provision should: allow for the placing of signs on road berms where this meets all other safety requirements; be applied to District Health Boards, Licensing Trust and any other elections held concurrently; require signs to be located in a way that ensures public safety; and prohibit obscuring other candidates signs.

Waitakere City Council (194)

Keyword 29E Rodney District Council and Waitakere City Council 2010 revaluations not required.

No submissions were received on this new section.

Keyword: 29F Auckland Regional Council must ensure sufficient Watercare Services Limited employees appointed as enforcement officers before Council dissolved

Object to the provision that 'enforcement officers' should be appointed for enforcement of water-related issues before the transition to the new Auckland Council, as it implies heavy handedness and coercion.

Gayleen Mackereth (351)

Keyword: Other Comments

Recommend that longer term regulatory enforcement be independent of Watercare and request that the Bill be amended to provide for this. The Chamber is greatly concerned to ensure that water services are efficient and price competitive.

Auckland Chamber of Commerce (175)

Auckland Regional Council recommends section 29F is deleted and a new provision inserted that states all warrants issued by Watercare are deemed to have been issued by the Auckland Council on and from 1 November 2010, similar to Clause 97 of this Bill.

Auckland Regional Council (916)

Supports dedicated, specialised enforcement team but sees no added value in limiting enforcement officers to present employees of Watercare Services Ltd.
Eriata Peri Auckland Public Health Service (185)

Amend the Bill to enable the Council to make a bylaw or resolution on the erection of election signs; clarify Part 6 and Sections 155 and 156 of the Local Government Act 2006. For further detail refer to the submission.

Manukau City Council (957)

Recommends that longer term regulatory enforcement be independent of Watercare Services Limited and instead be administrated by the Council and that the Bill is amended to provide for this.

New Zealand Council for Infrastructure Development (949)

**Keyword: Why are Watercare doing enforcement?**

Object to the provision that 'enforcement officers' should be appointed for enforcement of water-related issues before the transition to the new Auckland Council, as it implies heavy handedness and coercion.

Gayleen Mackereth (351)
Keyword: Other Comments

Auckland Regional Council recommends this section is broadened to allow an existing local authority's ownership in a CCO to be transferred to either the Auckland Council, or to a CCO that is wholly owned or controlled by the Auckland Council.

Auckland Regional Council (916)

It is not right to dissolve the Papakura District Council and it should be specifically exempted from dissolution. Any existing CCOs should not be dissolved without consultation with the communities they service and that have paid for them.

Ross Williams (532)

Keyword: No privatisation

A referendum should be held if any of Auckland's assets are going to be sold.

Clark Thomborson (248)

Opposed to the sale of Ports of Auckland and Water Services. Wants protection against the privatisation of public assets.

Denny Reid (056)

Dr John Salmon (037)

Jonathan Godfrey (705)

The Auckland Council will be permitted to sell strategic assets from mid-2012, meaning that privatisation plans can be completed before voters get a chance to have a say on them at the 2013 local elections.

Mark Paterson (107)
**Clause 24 New sections 35A to 35L inserted**

**Keyword: 35A Schedule 2 of Local Government Act 2002 consequently amended**

No submissions were received on this new section.

**Keyword: 35B Dissolution of certain council - controlled organisations**

Auckland Regional Council recommends that the proposed section is amended to ensure that it can deal effectively with the transfer of assets and liabilities, as well as interests in CCOs, from existing local authorities and CCOs to the Auckland Council and new and existing CCOs.

Auckland Regional Council (916)

The stormwater activities carried out by Metro and Manukau Water would transfer to Watercare Services Ltd but stormwater in the other territorial authorities would transfer to the Auckland Council would lead to fragmentation. Stormwater in Metro and Manukau Water should transfer to the Auckland Council.

Jan Heijs (400)

Amend to allow for assets of terminating organisation to be transferred to more than one entity.

**Keyword: 35C Review of employment positions**

The following submitters oppose this part of Clause 24 or have suggested amendments including citing one or more of the following reasons or a non specified reason:

- employment safeguards Franklin to Waikato?
- CE should not have power to set term and conditions of employees

Provide staff with existing conditions when transferred to another job.

A Young (742)

Lacks an additional clause for the continuation of conditions to all staff, overriding the concept within this clause of the 'CEO having right to determine if conditions are carried over.'
Amanda Judd Youthworx (515)

Auckland Regional Council recommends that the Bill is amended to introduce a fair process for transferring employees by including a requirement that a transferring employees will transfer on the same terms and conditions unless they agree otherwise.

Under the provisions in the Bill the ATA is not required to provide staff with their existing conditions when they are transferred to another job within the city. The Bill gives the CEO the right to determine if conditions are carried over. These employment protections need to be included in this Bill.

Auckland Women's Centre (184)

Amend to state that if no offer of employment is made by 30 September, the employee automatically transfers to the new Council. Correct the drafting error so that the clause clearly states that staff who are transferred to the Auckland Council will be transferred on the same employment agreement, until a new agreement is negotiated.

Christine Ross PSA (550)

George William Blanchard (053)

Staff transferring to the new entity should have their rights and conditions protected.

Grassroots Action Group (973)

As the outcome of negotiation relating to staff, assets, liabilities, etc are ongoing, the transitional arrangements should apply to Hauraki and Waikato District Councils.

Hauraki District Council (165)

ATA should provide staff with existing conditions if and when they are transferred to another job for the city.

Hilary Jones (547)

Concerned that staff transitioning from the current councils to the new body are treated fairly, and that their terms and conditions are not compromised (that they are protected).

Ian Gordon (502)

No guarantees for existing staff when they transition to the new structure.

Individual Six (549)

Proposes that Auckland Council retains injury prevention employees and programmes.

Injury Free Counties Manukau Programme Advisory Group (369)

The Bill should include provision for the retention of all injury prevention positions and build on the injury prevention resources already established.

Injury Prevention Network of Aotearoa New Zealand (358)

An additional clause is required for the continuation of conditions to all staff, overriding the concept within this clause of the ‘CEO having the right to determine if conditions are carried over’.

Jarad Bryant (363)

Current Council staff should retain their jobs and conditions.

Jean M Hatch (080)
The Bill must require that staff retained for the new Auckland Council be employed under existing pay and conditions.

Jeffery Ronald Saunders (370)

The material in these sections may be in violation of the Employment Relations Act. See original submission for further detail.

Jonathan Godfrey (705)

Provide that when a decision is made that the employment of a person is to be transferred, an offer to transfer is made to the employee, and the employee may accept or reject that offer.

Karen Lyons Auckland City Council (545)

What provision is being made to look after council staff and how do we ensure that precious local knowledge is not lost.

Lawrence Carter (2504)

The ATA must provide staff with assured continuation of their existing conditions when transferred to another job, or the same job within Auckland City.

Linda Kaiou (071)

Staff retained for the new Auckland Council be employed under existing pay and conditions.

Luis Lachica (723)

Staff which are currently employed by the Councils of Auckland area need to be assured that their terms and conditions of employment will be maintained when they are transferred to another job within the city. This clause needs to be amended to take this into account. In addition, council staff should be guaranteed that their jobs will not be redundant within a specified amount of time, suggested one year.

Mary-Ann de Kort (822)

Put all employee transfer provisions in one section. If no offer of employment is made by 30 September the employee will transfer to the new Council. Staff transferring should retain existing employment agreements (see clause 53 as well)

Apply part 6A of the Employment Relations Act.

Clause (1) (b) in Schedule 4 will need to be amended in line with the changes to 35(4) (c).

New Zealand Council of Trade Unions (512)

CEO will have the right to decide who will be employed after 1 November 2010 and to determine the terms and conditions of employment for those workers.

Submitter supports the ongoing right of Unions to negotiate on their members behalf.

Northern Amalgamated Workers Union (934)

The Bill does not provide staff with their existing conditions when they transfer to another job. This is unfair.

NorthWestern Community Association (936)

Will have an impact on the bureau, organisation and community.

Otara Citizens Advice Bureau Inc (826)

Write in guarantee to roll-over existing conditions for transferring staff.
Peta Joyce (526)

Peter Bartlett (928)

Retain current conditions for transferring staff.

Peter McCurdy (530)

The power to define CCO functions and appointments must rest with local people, not the Minister. Staff must be able to preserve current conditions under the new set-up.

Peter McCurdy and family (810)

Provide staff with their existing conditions.

Pippa Coom Grey Lynn 2030 (293)

Staff at existing local authorities should be guaranteed same conditions of employment under the Auckland Council.

Prue Elvidge (1207)

Greater certainty, and legislative or equivalent protection, must be provided for Council employees during the transition period to the new arrangements for Auckland government, similar to those that applied to the last major reorganisation of Auckland’s local government 1989.

Rev Andrew Bell (518)

Fails to carry over existing conditions.

Robert Richards South Titirangi Ratepayers and Residents (541)

Existing conditions must be retained when staff members are transferred to another job within Auckland City.

Robin Linda Duke (840)

To function on a daily basis the city requires a stable and secure workforce.

Robyn Laing (091)

There are significant inconsistencies between section 35C, section 35D and schedule 6 of the Bill and employment law. Offer and acceptance of a position must occur between the parties, as opposed to the Chief Executive making a unilateral decision to transfer an employee. Council recommends that the process in schedule 6 is expressly set out in section 35C, in order to clarify the steps to be followed by the Interim CE prior to the decisions being made. Due to the inconsistency between the provisions, the process itself should be directly incorporated into section 35C, as opposed to sitting within the schedule.

Rodney District Council (976)

Chief Executive decisions under s35C may be inconsistent with Part 6A of the Employment Relations Act 2000, particularly in respect of cleaning and food catering employees. Proposed amendments to make it consistent with the Employment Relations Act 2000 are detailed in the submission.

Service and Food Workers Union Nga Ringa Tota Inc. (948)

Staff conditions and terms need to be protected.

Susanne Vincent (726)

Should include roll over of existing conditions for council staff when they are transferred to another job within
the new organisation.

The Aucklander (130)

Section 35C should be amended to make it clear that the CE offers employment, transfers and any changes in employment conditions rather than determines them and that remuneration or terms and conditions of a transferring employee cannot be reduced until 1 May 2011. Section 35F should be amended to require the existing Auckland Councils to be consulted about any proposals under this section to terminate particular existing CCOs.

The Labour Local Government Sector Council (958)

The Supercity Council should have strategic overview of all issues in the region. Consequently the Council must be able to set strategic direction for the CCOs and be able to appoint the directors of these organisations. It is important that staff transferring into the new Council should be able to transfer their existing conditions (as a minimum) from existing council positions.

Three (893)

Conditions of existing Council staff should be protected and not left to the discretion of the CE.

Tonga Confederated Society of New Zealand (733)

This section should be amended to require that the Chief Executive Officer be required to consider volunteers as part of staff. There are great opportunities for volunteering to enhance the functions and communities within the new city of Auckland. The new CE of Auckland need to consider volunteer positions in relation to employment of staff with the realisation that engaging volunteers is different to paid employment and therefore needs to be included in future policies and KPIs of those employed staff and their management that rely on volunteers to deliver services for, and within, council.

Volunteering Auckland (890)

Clause 35C should be amended to reflect that there is no intention for a chief executive to make unilateral binding decisions in relation to the terms and conditions of staff who are transferred to the new organisations. See original submission for detail of proposed amendment to this clause.

Waitakere City Council (194)

Existing terms and conditions should be protected under any staff transfers.

Wendy John (868)

**Keyword: 35D Whether employees entitled to redundancy or other compensation**

The following list of submitters oppose this part of Clause 24 or have suggested amendments including citing one or more of the following reasons or a non specified reason:

- Employment safeguards Franklin to Waikato?
- CE should not have power to set term and conditions of employees

Auckland Regional Council recommends that the Bill is amended to introduce a fair process for transferring employees by including a requirement that a transferring employees will transfer on the same terms and conditions unless they agree otherwise.

That the Bill is amended to ensure that provisions relating to employment provisions in Part 3 come into force the day after Royal assent.

Auckland Regional Council (916)

Staff of current local bodies should have the same conditions enjoyed now if on transfer to another position within the city.
Elisabeth Van Alkemade (279)

The material in these sections may be in violation of the Employment Relations Act. See original submission for further detail.

Jonathan Godfrey (705)

Will have an impact on the bureau, organisation and community.

Otara Citizens Advice Bureau Inc (826)

The Transition Agency is not required to provide staff with their existing conditions when they are transferred to another job within the city. In any restructure employee rights should be protected for a minimum of a year.

The future of Auckland Transport should not be left to an independent business unit, Auckland Transport, but should be under the control of elected representatives.

Patricia M Reade (926)

Peter Bartlett (928)

Staff at existing local authorities should be guaranteed same conditions of employment under the Auckland Council.

Prue Elvidge (1207)

To function on a daily basis the city requires a stable and secure workforce.

Robyn Laing (091)

There are significant inconsistencies between section 35C, section 35D and schedule 6 of the Bill and employment law. Offer and acceptance of a position must occur between the parties, as opposed to the Chief Executive making a unilateral decision to transfer an employee. Council recommends that the process in schedule 6 is expressly set out in section 35C, in order to clarify the steps to be followed by the Interim CE prior to the decisions being made. Due to the inconsistency between the provisions, the process itself should be directly incorporated into section 35C, as opposed to sitting within the schedule.

Rodney District Council (976)

**Keyword: 35E Obligations of terminating organisations in relation to 2010/2011 annual report**

Recommend to change the heading of the section to "Obligations of terminating organisations in relation to the 2009/2010 annual report", as the text of the section refers to the 2009/2010 annual report not the 2010/2011 annual report.

Rodney District Council (976)

**Keyword: 35F Power to amend Schedule 4**

Recommend that the wording of clause 35F(4) of the Bill is revised to define what constitutes local government 'ownership' of a CCO and which types of CCOs clause 35F will and will not apply to.

Arts in the City Working Group (172)

Ensure all assets (other than water and wastewater) are initially vested in the Auckland Council by amending (2) to provide that a receiving entity will always be the Auckland Council (or Watercare for Metro Water and Manukau Water) and amending clauses 50(1)(a) and 52(1)(a) to replace the references to Auckland Transport with references to the Auckland Council. If this is not acceptable allow the Auckland Council to own the assets of the CCOs except the Council Investment CCO, and water and wastewater.
Revise (4) to define what constitutes local government 'ownership' of a CCO and which type of CCOs clause 35F will and will not apply to.

Lynn Lawton The Depot Artspace (267)

The dissolution of CCOs, except where this is part of establishing a new CCO, should be a matter determined by the Auckland Council. To the extent the ATA has a role in this regard, it should only be to make recommendations to the incoming Council. The criteria for establishing a CCO within the Bill is of a general nature. It would be prudent to include a provision which requires a CCO to have a well-defined singular purpose and focus.

Papakura District Council (196)

Opposes the provisions of the Bill that allows for the disestablishment of CCOs pursuant to new section 35F. Manukau Building Consultants Limited is in danger of being disbanded by the ATA if the Bill passes and that outcome will occur despite objection by the Property Council and other commercial property owners and investors who benefit from their services. Recommends amending the Bill to prevent the disestablishment of CCOs and CCTOs by Order in Council on the recommendation of the ATA.

Property Council New Zealand (839)

Section 35F should be amended to require the Auckland Council to be consulted about any proposals under this section to terminate particular existing CCOs.

Tamaki Community Board (195)

**Keyword: 35G Order in Council authorising Transition Agency to constitute council-controlled organisation**

The following list of submitters oppose this part of Clause 24 or have suggested amendments including citing one or more of the following reasons or a non specified reason:

- Directors of Council-controlled organisations should be appointed by elected local politicians
- Undermines local democracy

Adrian Pryor (140)

Auckland District Council of Social Services (907)

Aidan Burch (021)

Opposed to new sections 35G, 35H, 35I inserted.

Alastair Jamieson (143)

Alistair Gillies (147)

Allen Davies (148)

Andrew Miller (018)

Anne Priestley (154)

Has concerns about how the proposed Major Regional Facilities CCO will work and what effect it will have on arts organisations. Will monitor and provide input and advice as appropriate to the ATA on CCO structure as it develops, and specifically the Major Regional Facilities CCO.

Arts Council of New Zealand Toi Aotearoa (Creative New Zealand) (156)
Has concerns that 35G will allow a large number of CCOs to be hastily enacted without due diligence and a consultative process with affected organisations and the wider community. Also concerned that clause 35G(4)(a) of the Bill allows the ATA powers to enact CCOs 'as if it were a local authority', when it is not bound by other provisions of the LGA 2002, such as the requirement for open and transparent consultation with the community. Recommends that the Bill limit the number and type of CCOs that can be enacted prior to the establishment of the Auckland Council to those necessary to enable governance transition, and that the Bill include a definition of the process for how organisations are selected to be part of a CCO and the consultative process that must be employed by the Auckland Council. Also recommend that the wording of clause 35F(4) of the Bill is revised to define what constitutes local government 'ownership' of a CCO and which types of CCOs clause 35F will and will not apply to.

Arts in the City Working Group (172)

Recommends that the Bill limit the number and type of CCOs that can be enacted prior to the establishment of the Auckland Council to those necessary to enable governance transition, and that the Bill include a definition of the process for how organisations are selected to be part of a CCO and the consultative process that must be followed.

Arts Regional Trust Te Taumata Toi-a-iwi (173)

While it is not directly a matter for legislation, the structure of the Major Regional Facilities CCO may raise issues for the Trust and its ability to continue to support major capital development projects in the Auckland region. The Trust will continue to engage in dialogue with the ATA on the proposed structure of CCOs with particular attention to the Major Regional Facilities CCO to ensure that any future funding from the Trust is not jeopardised.

ASB Community Trust (174)

Appointments to the Boards of CCOs should be a matter for Auckland Council to decide. There is little or no mention of the 5 other major CCOs government has confirmed will form an integral part of Auckland’s new governance structure. Substantial detail on the proposed tier of 7 CCOs needs to be inserted in the Bill, including, for each CCO:

- what their functions, powers and responsibilities will be,
- how they will be controlled and be accountable to the Auckland Council governing body;
- how they will be expected to work together to deliver Auckland Council (and central government) key policies and strategies; and
- how they will be structured in order to achieve the aims of the Bill.

Recommend clause 35G be strengthened to require the Order in Council to include a shared SOI purpose narrative and quarterly performance reporting to Council.

Auckland Chamber of Commerce (175)

Auckland Regional Council recommends that the decision making on the creation of substantial new CCOs is deferred until after 1 November 2010 so that the Auckland Council is able to provide effective leadership in Auckland across the normal spectrum of local government activities.

The criteria for establishment of CCOs be expanded to provide for the Minister to satisfy themselves that any CCO has a clear purpose and is the most appropriate model to achieve the purpose.

Auckland Regional Council (916)

Support for establishment of CCOs to achieve strategic and coordinated approaches to economic development, events and tourism in Auckland.

Support for concept of establishing a Major Regional Facilities CCO on the basis that certain principles are addressed for those venues that cater for the Performing Arts. Refer to submission for further detail.

Auckland Theatre Company (975)
The Minister of Local Government, rather than democratically elected local politicians, will decide what CCOs to establish and appoint their initial directors.

Auckland Women's Centre (184)

Opposed, directors should be appointed by local politicians.

Audrey van Ryn (151)

The CCO objectives and governance structures must be set out in the legislation to ensure some democratic oversight.

Barbara Lucy Baragwanath (216)

Basil James Holmes (208)

The Bill should devolve the governance of the Auckland super-city to the Auckland Council, granting it a high degree of autonomy. Setting up the structure of governance should be the responsibility of the Council and not the Minister.

Benjamen F. Gussen (005)

Establishment CCOs should be left until after the next local body elections, to be done by the new Auckland Council.

Bera MacClement (218)

Concerned at the number of CCOs established in the Bill and the extent that ratepayers funds that will managed by them at arms-length from the Auckland Council. The Auckland Council should have the right to determine which CCOs it will establish and on what terms.

The Auckland Council should have the power to require all its CCOs to implement relevant strategies and policies of the Council.

CCOs will lack public accountability and lack consultation with local boards.

Botany Community Board (950)

Brian and Robin Griffiths (226)

The Bill creates a structure for the imposition of CCO structures upon most council activities. This is opposed and the Bill should be revised to amend the earlier Acts to remove the forced imposition of new CCO structures upon council activities. The Minister's ability to appoint the CCO boards is undemocratic and should be removed from the Bill.

Brian Van Dam (232)

Browyn Cheryl Dutton (033)

The Directors of CCOs should be appointed by elected local politicians.

Bryan Parris (006)

Democratically elected councillors should hold majority of seats on boards of council-controlled organisations. Salaries of chief executive officer and board members of council-controlled organisations should not reflect private corporate rates as council-controlled organisations are funded by rates.

Carol Symington (024)

Corporate council - controlled organisations infrastructure separates citizen from bureaucratic action.
Caroline Mabry (233)

The decision on whether to create CCOs, how many their functions and their composition should be made by elected politicians. The Minister of Local Government should not interfere in the democratic process by appoint the initial Boards of CCOs.

Local communities must have guaranteed ways to input whether through the Local boards or separately into all activities of the CCOs and means to exercise their rights of oversight. Community Economic Development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO.

Community ownership and/or control of Council owned assets must be provide for, to allow for the option of local communities to develop their own economic programmes based on asset management or ownership and maximum utilisation.

Ceilla Govind (238)

CCO objectives and governance structures must be set out in the legislation.

Child Poverty Action Group (244)

Directors should be appointed by elected local politicians.

Chris Everitt (976)

Require councillors to appoint CCO directors and that councillors can sit on boards of CCOs. The Auckland Council should be required to review any CCO boards’ appointments that are made in advance of its establishment.

Christine Ross PSA (550)

The Auckland Transition Agency should have a ‘caretaker’ role until there are elected members of Auckland Council.

Decision on establishing CCOs and appointments to Boards should be democratic, transparent and resulting from consultation by existing councils and boards.

City Vision (247)

Clare Davies (246)

Auckland Council should have the power to decide what functions are carried out by CCOs, which should be not be profit making enterprises. Auckland Council should have the power to make the initial appointment of directors for all CCOs.

Elected representatives must be held accountable for transport decisions.

Clive Teare (901)

65-75 per cent of the budget of the new Auckland Council will be controlled by CCOs - the Bill proposes to limit Auckland Council control over the CCOs. Directors of the CCOs should be appointed by elected local politicians.

Community Waitakere Charitable Trust (253)

Note the opportunity that the Minister has taken to establish named CCOs. The future of other CCOs, such as COMET, is left to the Council to decide. To connect the value of education-sector spending to the social and economic development of the city required innovative leadership from the then-Mayor of Manukau. Invite the Minister and Select Committee to do same and establish as CCO. Need for Select Committee to consider
whether the structures and processes proposed by the legislation are sufficiently robust to enable the large CCOs to take account of the social development directions arising from the work of the Social Policy Forum, in particular the need to legislate the existence of the Social Policy Forum.

COMET Charitable Trust (250)

The corporatisation of council entities removes any form of democratic control over their ownership and management and appears to set an agenda for privatisation.

Coralie van Camp (035)

Should be an economic development council - controlled organisation for local communities.

Daniel Findon and Catherine Murray (259)

All directors of CCOs must be appointed by elected local politicians who are publicly accountable.

Danielle Romanes (266)

Directors of CCOs should be appointed by elected local politicians.

Dave Breur (268)

Concerned that the Stardome Observatory may be made into a CCO.

David Houldsworth Stardome Observatory (180)

Supports CCOs to achieve a strategic and coordinated approach to economic development, events and tourism in Auckland. It is essential for Auckland Festival to retain its current governance model and independence from Auckland Council and/or a Major Regional Facilities CCO to ensure that its artistic programs remains independent and non government sources of funding are retained and grown.

David Inns Auckland Festival Trust (169)

Opposed to the Auckland Transition Agency acting in a caretaker role for disestablished council-controlled organisations.
Opposed to the Auckland Transition Agency defining role of council-controlled organisations.
Positions on the boards of council-controlled organisations should be appointed by elected councillors.
Council-controlled organisations should be structured as 'not-for-profit' organisations.
The role of council-controlled organisations is to provide services.

Denny Reid (056)

Concerned with how the proposed CCOs will interact with each other and the local community. Local boards will not have the ability to input into any strategies or plans made by the CCOs nor will the CCOs be accountable to the Local boards for work done in a local area. There should be a requirement in the bill for the CCOs to have in place by 31 May of the year following an election a local board agreement stipulating how the local boards and CCOs will interact and what decision-making process will prevail between the two bodies.

Devonport Community Board (824)

CCO objectives and governance structures must be set out in the legislation to ensure democratic oversight.

Donna Wynd and David Benson (100)

Directors of council - controlled organisations should be elected by local politicians.

Dorte Wray (260)
All Directors should be appointed by Auckland’s elected members.

Dr Alison Towns (320)

Ministerial appointees will control CCOs. Proposes that the Bill is amended to require that directors of any CCO be appointed by elected representatives of the Auckland Council.

Dr John Salmon (037)

Implementing CCOs will remove publicly owned assets from democratic control. Elected Auckland Councillors should have direct control of our assets on our behalf rather then people with no mandate.

Dr M Dale (902)

It should be left for the new Auckland Council to determine the most appropriate structure to deliver key services to the people of the Auckland Region.

Dr Mels Barton (274)

Directors should be appointed by directly elected local politicians.

Dr Paul Cullen (321)

Dr Ry Tweedie-Cullen (219)

Directors of CCOs should be appointed by elected local politicians.

Drama Magic Ltd (019)

Propose that a council-controlled organisation board member may only sit on the board of a single council-controlled organisation at a time.

Edward Exton Fletcher (275)

The Bill creates a structure for the imposition of CCO structures upon most council activities. This is opposed and the Bill should be revised to amend the earlier Acts to remove the forced imposition of new CCO structures upon council activities. The Minister’s ability to appoint the CCO boards is undemocratic and should be removed from the Bill.

Eileen Van Dam (276)

Elaine Dyer (048)

Democratic oversight of assets will end. The Minister will initially appoint the directors of the to-be-formed CCOs (modelled on SOEs) and decide on the CCOs functions. The arts and art facilities will be affected as it is possible there will be no Council representation on the Board of Directors of the CCO that will manage the public venues and facilities. New clause 35L - No Council input on how consultation with ethnic groups will established, is up to the Mayor alone.

Elisabeth Laird (281)

CCOs will not be effective if they become council controlling organisations.

Elected councillors should appoint Chief Executives and control these organisations.

Public services need to be managed by local bodies.

Elisabeth Van Alkemade (279)

Elizabeth de Man (282)
Elizabeth Jane Worley (283)

No new CCOs should be constituted by ATA in areas where there are not currently CCOs operating as ATA will not use the special consultative procedure and is unelected.

Eriata Peri Auckland Public Health Service (185)

Unelected appointees should not control Council assets.

Fiona Johnston (978)

At least one director of each CCO should be Māori and nominated by the statutory Māori Board.

The Auckland Council should have the power to continue with CCOs within two years of taking office following community consultation.

Forum for Auckland Sustainable Transport (292)

Oppose the establishment of CCOs by central government legislation with no power vested in the elected council to change this. The Bill establishes at least 7 CCOs and some of these have a commercial focus. If assets and business are held directly by the council their profits would be exempt from tax, when held by CCOs their profits are taxed, amounting to a tax on rates and resulting in higher rates. CCOs operate outside the Council’s submission process and can announce price increases without any consultation unlike rate increase where you can make a submission on the Council’s annual or ten-year plan.

Gavin Logan (352)

Genevieve Utting (060)

George William Blanchard (053)

Local elected representatives should have the power to appoint the people who they think best understand the needs of Auckland. The ATA should act in a caretaker role of the CCOs and the elected members of Auckland City Council should fill the majority of the board’s positions. The CCO model can work and will have advantages for the city, however, Aucklanders should have the right to hold CCOs accountable. This is best achieved by having elected councillors sitting on their boards who will be publicly accountable.

Gerard Hill (802)

The decision to establish CCOs should be made by elected representatives on the Auckland Council, and only after putting the matter through the Special Consultative Procedure.

Graeme Ease (558)

Grant La Hood (748)

Grassroots Action Group (973)

Directors of CCOs should be appointed by elected local politicians.

Guy Bibby (077)

Harry Russell Haley (115)

Minister should not have the power to determine the functions of CCOs nor should he have the power to appoint the initial directors of CCOs. Include the democratic process when determining the future of CCOs.

Hilary Jones (5499)

Elected councillors should appoint CCO directors and be members of CCO boards.
Hilltrud Grueger Springleigh Residents Association (542)

I Muller (1230)

Ian A Gould (066)

The Minister, rather than democratically elected local politicians, will decide what CCOs to establish and appoint their initial directors.

Individual Five (552)

Removed from democratic accountability and consequently from democratic process. Open to commercial interests.

Individual One (257)

Individual Submitter 8 (968)

The Bill does not set out how central government will assess new CCOs.

Injury Free Counties Manukau Programme Advisory Group (369)

The directors of CCOs should be appointed by elected local politicians.

Jane Gilmour (062)

Would prefer to see the Transition Authority act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. This proposal goes too far and takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

Janice B Cruickshank (373)

The Transition Authority should act in a caretaker role in establishing CCOs, leaving elected members to fill positions in these organisations.

Jeffery Ronald Saunders (370)

It should be left for the new Auckland Council to determine the most appropriate structure to deliver key services to the people of the Auckland region.

Jenny Macdonald (372)

Jeremy Dumble (063)

The directors of CCOs should be appointed by elected local politicians to retain democratic control and accountability of these critical functions.

Jerome Nicholas Partington (068)

Suggested amendments include: Auckland Council should determine CCO structure, objectives, operational details and appoint directors; CCOs give effect to section 10 of the Local Government Act; give effect to Spatial Plan; be deemed a local authority under the Local Government Official Information and Meetings Act 1987. Please refer to original submission for further detail.

Joanna Van Den Bergen (700)

The Directors should appointed by elected local politicians and that the functions of CCOs should not be decided by the Minister of Local Government, but by local politicians.
Local Government (Auckland Law Reform) Bill

John and Barbara Lusk (34345)

John Elliott (081)

CCOs is a misnomer as Auckland Council will have minimal influence over them. CCOs, taking 50 per cent of the rates collected by the Council, will carry out about 90 per cent of the Council's functions.

The Mayor should be the director of Auckland Transport.

John Kirikiri (909)

John Mackay (1210)

The elected members of the Auckland Council, not the Minister, should have the power to decide what functions are carried out by CCOs and have the power to make the initial appointment of directors for all CCOs including transport. The Transition Authority should act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. This CCO model takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

John N. Sloane (808)

Opposed CCOs should have a majority of councillors as directors. Directors board meetings be open unless genuinely confidential.

John Shaw (607)

Elected representatives should decide upon most appropriate structure to deliver key services to Auckland.

John Staniland (366)

The provision of waste management and minimisation services on Waiheke Island need to be reassessed.

Judy Johannessen (910)

Julie M Gould (069)

Half of the directors of CCOs should be appointed by elected local politicians.

Juliet Yates (805)

All directors of CCOs should be appointed by Auckland's elected members. Elected councillors must be able to be members of CCOs, to ensure democratic decision making on Auckland matters. Key functions must have all decisions directly made democratically and publicly by elected members and not unelected appointees.

Karen Brown (7674)

To give better guidance to the Minister in establishing a CCO, the Minister must be satisfied that activity to be undertaken by the CCO has a well defined purpose and focus, which may be commercial. In addition, the Minister should be required to take the following factors into account in deciding whether to establish a CCO:

- whether independence and commercial focus will improve service delivery;
- whether a lower overall cost structure will be achieved by having a CCO;
- whether independent funding is available;
- whether the establishment of the CCO will impact on the council's ability to deliver its other functions;
- whether a CCO mode will assist the Auckland Council to achieve its objectives; and
- if real and effective risk spreading/transfer opportunities exist.
Add transfer provision to enable the Auckland Council to more easily restructure its CCOs for a 10 period following its establishment.

Auckland City Council (545)

Kath Dewar (702)

Katharina Bauer (038)

Opposed to the creation of CCOs for transport, water, council property and assets, events, etc as this means that Local boards and councillors will be cut out of the decision-making process. If Auckland is to have CCOs then it should be Councillors and Local boards who decide who the directors are.

Kayla Mackenzie-Kopp (806)

Council-controlled organisations should be completely under the control of the Auckland Council. All minutes and agendas of council-controlled organisation board meetings should be publicly available.

Keith Sharp (1209)

CCOs must remain controlled by the Council.

Kim Walker (908)

Kris Burrows (072)

Concerned with the lack of Auckland Council representation on directorships of the CCOs. Concerned about the apparent influence of central government in the area of local governance and the lack of accountability of the CCOs. All CCOs should be able to be accessed using the Freedom of Information Act.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

Community Economic Development needs to form an integral part of the work programme in the new Economic Development CCO.

Kyle Parker (807)

Opposed, we the ratepayers are shareholders with no basic rights.

Lance Taykor (601)

Opposed, as ratepayers we are shareholders with no basic rights.

Last Light Limited (600)

Local politicians should have control over setting up CCOs and appoint directors for services run by the council.

Leaf Burrows (020)

Strongly oppose the establishing of CCOs instead of Community Controlled Organisations. The Bill must include substantive clauses outlining legal obligation to ensure full and open transparency and full democratic responsibility to the people of Auckland by all CCOs or other Council Business Units, as well as by Auckland Council. The default position should be that no CCO should have jurisdiction over any Waiheke services unless it can be proven that such involvement is of regional significance. Instead control of the island's affairs should be by Community Controlled Organisations.

Leith Duncan (811)

Opposed, council should appoint boards.
The directors of CCOs should be appointed by local politicians.

Levent Okyay (011)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and Councillors should be able to sit on boards of CCOs, and be held accountable for Councils actions.

Linda Kaiou (071)

Linda Er (964)

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. Alternatively, the new Auckland Council, within 6 months of taking office, should be able to replace all directors, with nominees of its choice. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, and after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Living Streets Auckland (875)

Supports existing CCOs continuing to operate as arms length entities. Creating new CCOs pre-empts the decision making authority of the incoming Auckland Council. Problems with a large number of CCOs include:

- difficulty ensuring that all aspects of Auckland governance are heading in the same direction and focused on the same goals;
- relationship between local boards and CCOs could be difficult;
- too many CCOs creates a perception that the council is no longer in charge; and
- managing overlaps may be difficult.

The creation of new CCOs or council controlled trading organisations (CCTOs) is limited to those activities currently provided as arms length activities. The Auckland Council should make the decision as to what other CCOs and CCTOs should be established. That the government invest in training for council officers and elected members in order to raise skills and competencies with regard to the writing and monitoring of Statements of Intent.

Local Government New Zealand (543)

Auckland Council in association with Aucklanders could make this decision after the election.

Lucy Hawcroft (555)

Lydia Sosene (1228)

Oppose the appointment of directors of the CCOs by central government Ministers and recommend that this responsibility rests with the elected Members of the new Auckland Council. Opposed to the Minister of Local Government assuming the responsibility for the decisions on what Council functions are to be carried out by CCOs and to establish the CCOs. They should also be the responsibility of the Council. Lack of procedures for consultation over key decisions; instead the ATA retains this power with regard to the functions of the Local boards and the setting up of CCOs. The Bill should limit the number and type of CCOs that can be enacted prior to the establishment of the Auckland Council to those absolutely necessary to enable governance transition, and that the Bill include a definition of the process for how constituent organisations are selected to be part of a CCO and the consultative process that must be employed by the Auckland Council when the creation of a CCO is being considered.

Lynn Lawton The Depot Artspace (267)
M E Walker (096)

Opposed to decision making transferring from Councils to CCOs with few or no elected councillors on their boards.

Maire Leadbeater (914)

Opposed. The directors of CCOs should be appointed by elected local politicians.

Manfred Staab (012)

Opposed to Business Improvement Districts being incorporated into an economic development agency that is not directly under the control of the council.

Mangere Bridge Progressive Business Assn Inc (915)

The Board is not in favour of the centralisation of Council-owned property on the basis that local input, management and response is important to local communities. The Board proposes that Local boards be able to consider whether or not they will choose to manage their own facilities. As Local boards will be responsible for the provision of services within their community, then a robust, measurable, accountable and reportable procedure must be provided that will ensure CCOs consult with and report regularly to Local boards in service levels and exceptions, including service failures.

Mangere Community Board (885)

Amend to remove the possibility for new CCOs to be established before the formation of the new Auckland Council or introduce an electoral college of councillors from existing councils to decide on the establishment and/or disestablishment of CCOs.

Manukau City Council (957)

The Board does not support the centralisation of Council owned property. Local input, management and response is important to local communities given that most facilities are provided as a result of an identified local need and are possible mostly through funding raised from within local communities themselves. The Board proposes that Local boards should be able to consider whether or not they will choose to manage their own facilities including Recreation Centres, swimming pools, pensioner housing and community housing. This would also include any project management required through the Local Plan and Local Area Agreement process from concept to completion. Add “A Local board may not acquire, or dispose of property”. Vital that legislation and procedure dictate that CCOs be required to not only consult with Local boards but also seriously consider and take into account the result of such consultation. The Board is concerned at the use of CCOs to erode the functions and decision-making Councils have historically carried out, gifting these into the hands of organisations motivated more by profit than the welfare of the people they are supposed to serve. Concerned about the possible loss of decision making ability in relation to important local issues. The CCO that has been created for Properties should delegate the matter of awarding ‘Community Tenancies’ to the Local boards who know and understand the needs and requirements of their local area.

Manurewa Community Board (800)

Margaret Bijl (912)

Margaret Todd (911)

Marina Kokanovic (099)

All directors appointed to CCOs by the Minister or by Order in Council be considered an interim measure for a maximum of 3 years only, to enable the Auckland Council to establish its policy and appoint directors.

Franklin District Council (509)
All directors must be able to be removed or reconfirmed by Auckland Council from day one. Chairs must be appointed by Auckland Council. All objectives, including Transport, must be set by Auckland Council only. SOI details must be able to be reviewed/confirmed from day one. The extent of pre-1 Nov CCOs created by the ATA must be limited, so that Auckland Council can make its own decisions. All policy must be developed with Auckland Council and elected representatives, and CCOs are implementation bodies. CCOs must be subject to the LGOIMA - meetings must be in public, with normal standing orders to allow a public forum section.

Mark Donnelly (817)

Opposed. Allowing a majority of appointees to determine policy does not ensure that local concerns are addressed.

Martin and Sheila Hayes (089)

The government is directing what CCOs should be established in Auckland and how they should be run. The structure proposed enables these organisations to be run with little accountability to the constituents they serve. CCOs should be appointed by the Auckland Council and be directly responsible to them.

Martin Sutcliffe (819)

The citizens of Auckland should be able to elect the councillors who they believe will act on their behalf and in good faith. The provision for ministerial appointees should be removed. There should be a definite and defined link between the CCOs and the Councillors. The Council should be able to appoint and discharge the members of the Board dependent on our elected representatives.

Mary-Ann de Kort (822)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and so the community loses the ability to hold councillors accountable. Councillors should be on the Board of CCOs to bring accountability back to the community level. Oppose the Minister assuming the responsibility for the decision on what council functions are to be carried out by CCOs and to establish the CCOs. This should be the responsibility of the Council.

Massey Matters (814)

Concerned that the proposed model of CCOs will result in a significant part of the councils operations becoming unaccountable to the councils ratepayers and its elected officials. Councillors should be able to make up at least half of the CCO boards. CCOs should be required to interact and follow plans made by the council. The Transport CCOs brief is unnecessarily broad and includes functions that should be provided by a council department or business unit. Watercare should be as accountable to the council as any other CCO. CCOs should not be about making services easier to privatise, they should be focussed on providing the best services possible to ratepayers.

Matthew McIvor (815)

Concerned with the legislation creating CCOs, these statutory CCOs should be created, if desired, by the Council using its prerogative to use existing provisions under the LGA to form such organisations. If the formation of CCOs continues as proposed, they feel that the provisions of LGOIMA should be made to apply to these CCOs to allow for public awareness and submission on their activity. Council should also appoint the directors and name the Chair and Deputy Chair of these organisations. The Council should have the right to appoint existing councillors as directors of CCOs as it should be the council's decision to determine those candidates most suited to the role. The founding directors should be appointed by an electoral college of the region's 7 existing territorial authorities and the Regional Council. There needs to be stronger links between CCOs and the local and governing aspects of the Auckland Council.

Maungakiekie Community Board (197)

Megan Vertelle (724)
Melanie Tuscia (728)

The new Auckland Council should determine the appropriate structure to deliver key services.

Melean Absolum (715)

Propose banning the establishment of council-controlled organisations.

Michael Andreasen (1201)

Michael Douglas Scott (1212)

Michael Terry (1204)

Nadine McDonnell (937)

Natasha D F Sirett (1203)

CCOs create problems of accountability and fragmented decision making leading to incoherent planning. An independent audit officer to keep an eye on the activities of the Auckland CCOs is a good one.

Neil Miller (521)

Submitter recommends that a further sub-clause is added to 35G to require that among the details concerning the structure and operation of the CCO that an Order in Council must include a shared Statement of Intent purpose narrative and quarterly performance reporting to Council.

New Zealand Council for Infrastructure Development (949)

It should be democratically elected local politicians who decide which Council functions are carried out by CCOs.

New Zealand Council of Trade Unions (512)

Power is initially being taken by the Transition Agency and then by CCOs which are being established independently of and prior to the election of the Auckland Council and the establishment of Local boards.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Auckland Council should determine which CCOs it may need.

Splitting the governance of Auckland across disparate entities will result in less transparency, less accountability and less democracy.

Noelene Buckland (945)

Noreen Prudence Giles (1202)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and that therefore we lose the ability to hold councillors accountable. Councillors should be on the boards of CCOs to bring accountability back to the community level.

North Shore Community and Social Services (830)

Supportive of the establishment of the ATA suggested new CCO structures, in particular the Major Regional Facilities CCO. The CCO should be established as a 'lean' organisation with a clear focus. The CCO will need to develop a tool to measure public benefit (return on investment). Also see value in independent commercial minded governance of each facility rather than in one council structure, it would be advantageous to retain the
current trust board governance model in some format. Retain section 35G(2) as it introduces new CCOs and identifies the need to specify objectives and governance. Amend section 35G(3) by adding the following: "(c) That the Auckland Council administration does not duplicate or hinder the roles and responsibilities of any CCO." Strongly support section 35H as it identifies that Directors of CCOs require the right skill set to be appointed to these positions, would also remove the vulnerabilities of a 3-year political cycle. Recommend that section 35H(4) is retained as it ensures the Minister appoints those with the right skill set to these important governance roles. Amend section 35H to identify how Directors will be appointed after the initial Ministerial appointments.

North Shore Events Centre (832)

CEO will have the right to decide who will be employed after 1 November 2010 and to determine the terms and conditions of employment for those workers.

Submitter supports the ongoing right of Unions to negotiate on their members behalf.

Northern Amalgamated Workers Union (934)

NorthWestern Community Association (936)

Recognises the desire to amalgamate and consolidate the current CCO structure. Does not support the Minister deciding the functions to be carried out by CCOs, nor the Minister making the initial appointments of directors to CCOs. Democracy is important for community delivery outcomes.

NZ Sculpture OnShore Ltd (829)

Olga Brochner (1213)

A robust procedure for consultation between council-controlled organisations and local boards needs to be put in place.

Otara Community Board (203)

Directors of CCOs are to be appointed by local councillors.

Owen and Joy Lewis (103)

Decisions on CCOs should be made by elected politicians. The Local Government Minister should not interfere in the democratic process by appointing the initial Boards of CCOs.

Pam Unkovich (525)

The decision to have CCOs operate in secret is totally opposed to democracy.

Panmure Community Action Group (825)

The Council finds many of the provisions in the Bill relating to CCOs inappropriate. Specifically, the Council is concerned at the provision which allows the Minister to establish, through Order in Council and on the recommendation of the ATA, further CCOs effective from 1 November 2010. This allows further CCOs to be established without the key democratic tenets of political mandate and public consultation. Further CCOs should not be established until the Auckland Council can consider whether these are necessary and how they fit with its strategic direction and its view on the appropriate method of service delivery of its functions. The dissolution of CCOs, except where this is part of establishing a new CCO, should be a matter determined by the Auckland Council. To the extent the ATA has a role in this regard, it should only be to make recommendations to the incoming Council. The criteria for establishing a CCO within the Bill is of a general nature. It would be prudent to include a provision which requires a CCO to have a well-defined singular purpose and focus.

Papakura District Council (196)
The decisions on whether to create CCOs, how many, their functions and their compositions should be made by elected politicians. The Minister should not interfere in the democratic process by appointing the initial boards of CCOs. Local communities must have guaranteed ways to input either through the Local boards or separately into all activities of the CCOs and means to exercise their right of oversight. Community economic development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO. Community ownership and/or control of council-owned assets must be provided for, to allow for the option of local communities to develop their own economic programmes based on asset management or ownership and maximum utilisation.

Pat and Ron Watson (835)

Patricia La Roche (1214)

The Transition Agency is not required to provide staff with their existing conditions when they are transferred to another job within the city. In any restructure employee rights should be protected for a minimum of a year.

The future of Auckland transport should not be left to an independent business unit, Auckland Transport, but should be under the control of elected representatives.

Patricia M Reade (926)

Minister given powers rather than elected local politicians.

Peta Joyce (526)

Peter Aimer (931)

Peter Bartlett (928)

The directors of CCOs should be appointed by elected local politicians.

Peter Friedlander (104)

Power to define CCO functions and appointments must rest with local people, not the Minister. Local boards must have input as well as Auckland Councillors.

Peter McCurdy (530)

The power to define CCO functions and appointments must rest with local people, not the Minister. Oppose section 35I on Auckland Transport CCO appointments. Local boards must have a large input as well as Auckland Councillors. Staff must be able to preserve current conditions under the new set-up.

Peter McCurdy and family (810)

Unclear as to whether the chair and deputy are appointed by the Minister or elected by the CCO. Enable the Auckland Council to appoint the chair and deputy. Add to (3)(b) "or prevent the Auckland Council from appointing the chairperson or deputy chairperson". To ensure linkages with CCOs add to (2)(c) "including the requirement for the CCO to establish and maintain processes for Pacific People, Ethnic People and Māori to contribute to its decision-making processes and for Māori specify how input to Board decision will be provided for". To further strengthen participation and engagement by Māori within the CCO governance structures we encourage the Select Committee to consider including the requirement for one of the initial directors to be able to represent the interests of Māori in the Auckland region. Add "(4) One of the directors appointed by the Minister must be a person who, in the opinion of the Minister, is appropriate to represent the interests of Māori in the Auckland region".

Peter McKinlay Institute of Public Policy (368)

Peter Thomspn (717)
The Directors of CCOs should be appointed by elected local politicians.

Concerned that the functions carried out by CCOs will be decided by the Minister and not the Council. Believe that Councillors should be able to fill at least 50 per cent of each of the CCO boards. Also believe that it should be clearly stated in the legislation that the CCOs will have to interact and follow Council's long-term strategic plans. If the current format is retained, CCOs should be renamed as in their current form they are not controlled by the Council.

Supports the development of CCOs by Order in Council on the recommendation of the ATA. Auckland Council will benefit from the provision of regional services through a corporate board, which will in turn be governed by Auckland Council through its Statement of Intent. Opposes the provisions of the Bill that allows for the disestablishment of CCOs pursuant to new section 35F. Manukau Building Consultants Limited is in danger of being disbanded by the ATA if the Bill passes and that outcome will occur despite objection by the Property Council and other commercial property owners and investors who benefit from their services. Recommends amending the Bill to prevent the disestablishment of CCOs and CCTOs by Order in Council on the recommendation of the ATA.

Without the checks and balances of the democratic process board appointees could create an environment of profit before people.

Local boards should have the ability to make annual report/representations to CCOs; monitor performance of CCOs and highlight areas of local concern. The people, through local boards, could democratically ensure CCOs comply with their responsibilities.

Opposed, directors should be appointed by elected representatives.

Opposed, directors of council - controlled organisations should be appointed by elected representatives.

Water, Ports of Auckland and public transport are key areas of concern and should remain in effective public control.

Too much power to the Minister of Local Government in appointing CCOs.

Minister has power which should be with elected politicians.
The people of Auckland will be unable to hold appointed directors of CCOs accountable. The elected representatives of Auckland should decide the governing board and functions of CCOs.

Robin Campbell (0114)

Oppose the way in which the Bill proposes to set up the new CCOs for the management of Auckland assets. These assets are the property of the people of Auckland as represented by the democratically-elected councillors of the City. As such, they should be completely under the control of the existing Auckland Regional Council, which should have the power and responsibility to appoint the board members and executive officers. Also, the minutes and agendas of the meetings of these organisations must be made available to the public by law.

Robin Lorenz Hill (841)

The legislation should strengthen the criteria for constituting CCOs. There is concern that the criteria provided are too broad and general, which risks placing activities and related decision-making within CCO structures when politically accountable decision-making would be more appropriate. Recommended additional criteria are suggested, see full submission for detail.

Rodney District Council (976)

Appointments should be made be elected and accountable officials.

Romy Udanga (630)

Ron R Miller (1229)

Establishing CCOs is the first step in privatising public assets. The public's right to information should be preserved.

Ruth Milburn (920)

Sarah Grimes (116)

Auckland Council should have responsibility for determining the need for new CCOs, including establishing the new Auckland Transport Agency. Auckland Council has responsibility for the appointment of directors and can appoint councillors to every CCO. CCOs have greater accountability to the Council to ensure their actions are consistent with the Council's short and long term objectives and plans.

SavePapakura (941)

Scott Griffiths (947)

Sheila Pritchard (123)

Shirley Rosa Hardwick (638)

Injury prevention north of the Harbour Bridge should come under one organisation that is able to work closely with the Waitemata District Health Board and Waitemata Police District.

ShoreSafe (935)

Public services should not be commercially driven. Delete this clause.

Sigrid Shayer (538)

Opposed, takes all control out of the hands of elected councillors.
Simon and Frances Breeze (625)
Directors should be appointed by elected local politicians.

Simon Griffiths (539)
Focused on economic development in the area and work across many areas of council. As the area’s centre is situated on the Auckland waterfront, need to be involved with that development also. If economic development is split from council, CCOs become responsible for many for these areas. CCOs are not elected but appointed; they are not accountable to ratepayers which is a concern.

St Heliers Village Association (843)
Concerned that so much of the activity of the Auckland Council is being delegated to relatively independent CCOs, apparently without adequate accountability and control on the part of Auckland Council. Would like to see the legislation clearer on the charter of each CCO and ensure that the relationship between Auckland Council and each CCO is broadly the same as that between a parent company and its subsidiaries. Recommend that Auckland Council be given explicit authority to restructure the group, modifying the charter, structure and roles of CCOs if experience shows that is beneficial.

St Heliers/Glendowie Residents Association (842)
South Titirangi Ratepayers and Residents Association (3459)

Steve Marshall (844)
This section permits the Minister to establish CCOs and to decide their functions, rather than democratically elected local politicians. All directors should be appointed by elected local politicians.

Steve Roigard (016)
The Minister, rather than democratically elected local politicians, will decide what CCOs to establish and appoint their initial directors.

Su Yin Khoo (845)
Would like to see more detail and clarity in regard to the other CCOs and more involvement of the elected governing body of Auckland in their processes and implementation. Object to both aspects of the appointment process outlined in the Bill and the suggested composition of the CCO boards. Composition of these CCO boards will reduce local body voter’s ability to hold Auckland City councillors accountable for actions in relation to regional assets and infrastructure.

Sue Fitchett (846)
Susan Potter (847)
CCOs are not transparent or accountable to a constituency.

Susan Washington (848)
Suzanne Dowling (1215)
Section 35F should be amended to require the Auckland Council to be consulted about any proposals under this section to terminate particular existing CCOs. Section 35G gives Cabinet and the Minister of Local Government the power to establish more new CCOs and to set out their objectives, governance, structure and operation. These decisions should instead be made by the new Auckland Council or, if urgent, by Auckland’s current councils collectively.

Tamaki Community Board (195)
A transparent process should be established to ensure the voice of local communities is enabled and heard in
the establishment and governance of the many proposed CCOs.

Te Ora o Manukau (942)

Support section 35G(2). Amend section 35G(3) by adding ")(c) that the Auckland Council administration does not duplicate or hinder the roles and responsibilities of any CCO."

TelstraClear Pacific (125)

Amendments must be made to place these powers around CCOs with local representatives.

Tet Woo Lee (849)

Should include roll over of existing conditions for council staff when they are transferred to another job within the new organisation.

The Auckland (130)

These proposed sections should be deleted as decisions should instead be made by the new Auckland Council or, if they are urgently required, by Auckland's current Councils collectively.

The Labour Local Government Sector Council (958)

Appointment of directors of CCOs by Minister represents an unacceptable incursion into the control of Auckland's public financial interests by central government and must be amended. Power to make initial appointments to these entities ought to be vested in the Auckland Council once established. The establishment of CCOs and allocation of functions to them must be reserved to local authorities alone, except perhaps in relation to Auckland Transport.

Thomas Walter Harvey (850)

The Supercity Council should have strategic overview of all issues in the region. Consequently the Council must be able to set strategic directions for the CCOs and be able to appoint the directors of these organisations. It is important that staff transferring into the new Council should be able to transfer their existing conditions (as a minimum) from existing council positions.

Three (893)

The Economic Development council-controlled organisation should be responsible for managing community economic development; this responsibility should be enshrined in the Local Government (Auckland Law Reform) Bill. Community ownership/control of Auckland Council assets should be provided for in Local Government (Auckland Law Reform) Bill. Local communities need to have guaranteed input into council-controlled organisation decisions.

Tony Mayow (1219)

CCO objectives and governance structures must be set out in the legislation.

Tony Siu (736)

Governance arrangements for Auckland will be critical for the future of tourism in the region. Supports Tourism Auckland as a stand-alone agency, separate and distinct from the current proposal which has it as an entity inside a proposed Economic Development, Tourism and Events CCO.

Tourism Industry Association New Zealand (896)

Propose that the wording be changed, to remove references to powers to appoint by Minister of Local Government and Minister of Transport to "elected councillors".

Tracey Ann MacLeod (126)
Oppose the creation of council-controlled organisations, including Auckland Transport, and Watercare, that control Auckland Council assets and events.

Trevor Darvill (1220)

Concerns about the way CCOs are proposed to be set up and run.

Trevor G Bridge (119)

The Economic Development council-controlled organisation should be focussed on community based economic development.

Tu Nguyen (1217)

Concerned about the government removing publicly-owned assets from democratic control, through the implementation of CCOs run by unelected directors. CCO functions should be enshrined in legislation.

Val Wynd (854)

Veronica Friedlander (120)

Oppose should be appointed by elected members of Auckland Council.

Vicky Tsang (646)

Opposed to the CCO model as it removes the local from local decisions and removes transparency and community involvement. The Bill is short on the detail of the powers of CCOs. Local boards must have input into the setting of the Statement of Intent for CCOs. There appears to be no requirement for CCOs to engage with local boards. The Bill needs to be amended so that the Minister is explicitly required to specify the details of mechanisms for CCOs and Local boards to work together. All local transport decisions should be made by local boards.

Waiheke Community Board (894)

The Council is generally dissatisfied and opposed to the extent of the Auckland Council’s activities that are being placed at arms length from the democratically elected Council. In particular it is opposed to transport activity being so completely corporatised and removed from direct Council control. To achieve a higher level of control to ensure that Auckland Council’s aspirations are met by CCOs, the Council submits that section 14 of the LGACA be amended by the addition of a new subclause:

“(5) Council-controlled organisation will carry much of the responsibility for delivering infrastructure and services to Auckland as wholly owned subsidiaries of the Council. In performing its role, a council-controlled organisation or council organisation must contribute to the Council's achievement of the principles contained in section 14 of the Local Government Act 2002.”

To further strengthen the Council’s review role, a new sub-clause should be added to clause 35G, to read:

“35G(2)(d) may specify the date and scope (if any) by which the Council must review the governance arrangements, performance and delivery on Council objectives.”

The Council submits that the review of CCOs should include a more first-principles review of the need for and desirability of each CCO, its constitution and purpose and have complete flexibility of scope for the review. Council submits that section 35G be amended to reflect this. Please see original submission for substantive suggested amendment.

There is little statutory guidance to the Auckland Council or others in establishing and reviewing CCOs. The Council submits that section 17 of the LGACA which guides the responsibilities of Local boards be followed by a new section 17 covering the principles for allocation of decision-making responsibilities and activities of the Auckland Council to council-controlled organisations. See original submission for substantive amendment suggested.

Waitakere City Council (194)
Supports the creation of a CCO for holding commercial property and specific property development activities in the new Auckland Council. This allows the Council to utilise private sector skill to achieve public sector goals. Endorse the use of private sector board members with the CCO directly employing property professionals to execute the agreed strategic development in accordance with the Statement of Intent.

Waitakere Properties Limited (858)

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. Alternatively, the new Auckland Council, within 6 months of taking office, shall be able to replace all directors, with nominees of its choice. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, and after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Walk Auckland Inc (861)

Auckland councillors will have no effective power over their CCOs.

Warwick and Hueline Massey (862)

There is a complete lack of local democracy in the establishment of the CCOs, their functions and the appointment of the initial directors, who should appointed by elected local politicians.

Warwick and Janet Sumpter (863)

Wendy John (868)

As they are 'council controlled', they should be chaired by a councillor. There should be a requirement to consult local boards on activities in their area. Board members should be required to be on the Auckland electoral roll. Initial CCO board members should be appointed by current elected councillors.

Western Bays Community Board (193)

Elected local politicians should decide those Auckland Council functions to be carried out by CCOs.

William Garden (131)

Any changes to the way we govern our city should not undermine democracy. The directorships, scope and functions of the new CCOs should be something our locally elected representatives decide on, not the Minister.

William Moore (871)

Opposes the appointment of board members to the CCOs by any Government Minister. Board members for each CCO should be elected representatives of the Auckland Council.

YouSay NZ (136)

Elected local politicians should decide upon the functions and appoint the directors of the CCOs.

Yvonne Matheson (547)

**Keyword: Support**

Supports the establishment of a major regional facilities CCO.

Auckland Philharmonic Orchestra (182)
Supportive of the establishment of the ATA's suggested new CCO structures. Also see value in independent commercial minded governance of each facility rather than in one council's structure. While the new CCO should provide some overall strategic governance, it would be advantageous to retain the current Trust Board governance and ownership model in its current format. Before establishing any new CCOs it will be necessary to have clear objectives set and the purpose/function of the CCO defined. A concern would be that there may be potential for a duplication of roles between any new CCO and the new Auckland Council. It is also important to avoid the funding of organisations that duplicate services. Recommend retaining section 35G(2) as it introduces new CCOs and identifies the need to specify objectives and governance. Amend section 35G(3) by adding the following: "That the Auckland Council administration does not duplicate or hinder the roles and responsibilities of any CCO".

Waitakere City Stadium Trusts (882)

**Keyword: 35H Minister may appoint initial directors of certain council - controlled organisations**

The following list of submitters oppose this part of Clause 24 or have suggested amendments including citing one or more of the following reasons or a non specified reason:

- Directors of Council-controlled organisations should be appointed by elected local politicians;
- Undermines local democracy; and
- Against the Minister appointing initial directors of certain council - controlled organisations.

Adrian Pryor (140)

Auckland District Council of Social Services (907)

Aidan Burch (021)

Opposed to new sections 35G, 35H, 35I inserted.

Oppose Minister of Local Government appointing directors of council-controlled organisations.

Alastair Jamieson (143)

Alistair Gillies (147)

Allen Davies (148)

Appointments should be interim so that once the Auckland Council is elected seats can be declared vacant and Council appointments can be made.

Andrew Miller (018)

The proposal to place major activities under the control of appointed directors removes from the democratically-appointed representatives any control over these functions on an ongoing basis. Citizens will be required to pay rates to the new body yet will have no ability to exert any pressure on the process of governance of these bodies through local representatives as they will be left with a minor part to play in their governance.

Angus Duncan Crombie (152)

Anne Priestley (154)

Annette Cook (049)

Appointments to the Boards of CCOs should be a matter for Auckland Council to decide. Consideration is required on whether the powers of the ATA to appoint inaugural Boards of CCOs should be for an interim period only (say 18 months), to allow Auckland Council time to develop and implement its own appointments policy consistent with the CCO provisions of the LGA 2002.
Auckland Regional Council (916)

The Minister of Local Government, rather than democratically elected local politicians, will decide what CCOs to establish and appoint their initial directors.

Auckland Women's Centre (184)

Opposed, directors should be appointed by local politicians.

Audrey van Ryn (151)

Opposed - ATA should be caretaker for CCO’s until Auckland Council makes appointments. The Bill should not mandate the establishment of CCOs for activities that should be carried out by council.

Avondale - Roskill Residents Association (ARRA) (205)

The Directors of CCOs must be selected by elected councillors, thereby ensuring some measure of democratic mandate.

Barbara Lucy Baragwanath (216)

Auckland Transitional Agency has no mandate to appoint directors without full consultation with residents and ratepayers. Directors should be on a rotational basis and should include professionals with experience within the industry.

Beach Haven Birkdale Residents Association (206)

Beatebnik Publishing (051)

Directors of CCOs should be appointed by democratically elected local representatives, not by Ministers. Ministerial power to appoint directors should not extend to appointments made after 31 October 2010.

Bera MacClement (218)

Democratically elected councillors should appoint members to these boards.

Betty Mather and Eric Mather (059)

Bill Leonard (043)

Concerned at the number of CCOs established in the Bill and the extent that ratepayers funds that will managed by them at arms-length from the Auckland Council. The Auckland Council should have the right to determine which CCOs it will establish and on what terms.

Auckland Council have the power to appoint and replace all directors of all CCOs at any time, based on performance, including initial appointments.

The Auckland Council should have the power to require all its CCOs to implement relevant strategies and policies of the Council. CCOs will lack public accountability and lack consultation with local boards. The Auckland Council should have the power to require all its CCOs to implement relevant strategies and policies of the Council.
Botany Community Board (950)

Brian and Robin Griffiths (226)

The Bill passes too much control of Auckland's assets and service out of elected hands to ministerial appointed CCOs.

Brian Murphy (228)

The Bill creates a structure for the imposition of CCO structures upon most council activities. This is opposed and the Bill should be revised to amend the earlier Acts to remove the forced imposition of new CCO structures upon council activities. The Minster's ability to appoint the CCO boards is undemocratic and should be removed from the Bill.

Brian Van Dam (232)

Browyn Cheryl Dutton (033)

Bryan Parris (006)

Cameron Walker (225)

View the CCO as a commercially organised entity modelled on the State Owned Enterprise, with its own CEO and board, owned by and reporting to the Council. Under this proposed structure, the Minister and not the elected members of the Auckland Council will have the power to decide what functions are carried out by CCOs, and will have the power to make initial appointments of directors for all CCOs. The Campaign opposes this and would prefer to see the ATA act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions.

Campaign for Fair Ferry Fares (235)

These sections undermine local democracy by allowing Government Ministers to select appointees for important local positions.

Carol Scott (087)

Democratically elected councillors should hold majority of seats on boards of council-controlled organisations. Salaries of chief executive officer and board members of council-controlled organisations should not reflect private corporate rates as council-controlled organisations are funded by rates.

Carol Symington (024)

The decision on whether to create CCOs, how many their functions and their composition should be made by elected politicians. The Minister of Local Government should not interfere in the democratic process by appointing the initial Boards of CCOs. Local communities must have guaranteed ways to input whether through the Local boards or separately into all activities of the CCOs and means to exercise their rights of oversight. Community Economic Development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO. Community ownership and/or control of Council owned assets must be provided for, to allow for the option of local communities to develop their own economic programmes based on asset management or ownership and maximum utilisation.

Ceilla Govind (238)

Child Poverty Action Group (244)

Directors should be appointed by elected local politicians.

Chris Everitt (97656)
Democratically elected local politicians, not the Minister of Local Government, must decide what CCOs to establish and appoint their initial directors.

Chris H Williams (240)

Require councillors to appoint CCO directors and that councillors can sit on boards of CCOs. The Auckland Council should be required to review any CCO board's appointments that are made in advance of its establishment.

Christine Ross PSA (550)

The Auckland Transition Agency should have a 'caretaker' role until there are elected members of Auckland Council.

City Vision (247)

Clare Davies (246)

Auckland Council should have the power to decide what functions are carried out by CCOs, which should be not be profit making enterprises. Auckland Council should have the power to make the initial appointment of directors for all CCOs.

Elected representatives must be held accountable for transport decisions.

Clive Teare (901)

65-75 per cent of the budget of the new Auckland Council will be controlled by CCOs - the Bill proposes to limit Auckland Council control over the CCOs. Directors of the CCOs should be appointed by elected local politicians.

Community Waitakere Charitable Trust (253)

The corporatisation of council entities removes any form of democratic control over their ownership and management and appears to set an agenda for privatisation.

Coralie van Camp (035)

Local authorities should make the appointments.

Craig Vincent Powell (264)

All directors of CCOs must be appointed by elected local politicians who are publicly accountable.

Danielle Romanes (266)

Dave Breur (268)

Appointment should be made by elected politicians not the ATA or Minister. Local communities must have the right to control local economic development enshrined in legislation.

David Yates (301)

Opposed to Ministerial appointments and councillors should be able to be appointed to CCO boards.

Denise Roche (263)
Opposed to the Auckland Transition Agency acting in a caretaker role for disestablished council-controlled organisations. Opposed to the Auckland Transition Agency defining role of council-controlled organisations. Positions on the boards of council-controlled organisations should be appointed by elected councillors. Council-controlled organisations should be structured as ‘not-for-profit’ organisations. The role of council-controlled organisations is to provide services.

Denny Reid (056)

Don and Noreen Clark (944)

Directors of CCOs must be selected by elected councillors, thereby ensuring some measure of democratic mandate.

Donna Wynd and David Benson (100)

The council that is democratically elected should control our assets and be held accountable for their wise guardianship.

Doris de Pont (269)

Directors of council-controlled organisations should be elected by local politicians.

Dorte Wray (260)

Dr Alison Towns (320)

How can councillors be held responsible if they have no influence on decisions made by CCO boards and cannot sit on boards? Minister should not make appointments and decide functions of CCOs. Elected members should make appointments.

Dr Catherine Harvey (273)

Ministerial appointees will control CCOs. Proposes that the Bill is amended to require that directors of any CCO be appointed by elected representatives of the Auckland Council.

Dr John Salmon (037)

Implementing CCOs will remove publicly owned assets from democratic control. Elected Auckland Councillors should have direct control of our assets on our behalf rather than people with no mandate.

Dr M Dale (902)

Directors should be appointed by directly elected local politicians.

Dr Paul Cullen (321)

The Minister will decide what CCOs to establish and will appoint their initial directors. The Council should appoint directors. Councillors should be able to be directors.

Dr Rosemary Hope Lovell-Smith (106)

Dr Ry Tweedie-Cullen (219)

Drama Magic Ltd (019)

The Council should have the flexibility to be able to review and restructure CCOs as considered necessary. Appointments to CCOs should be left to the Council to strengthen accountability.

Eastern Bays Community Board (823)
Opposed - Auckland Council should decide.

Eden Albert Community Board (162)

Propose that a council-controlled organisation board member may only sit on the board of a single council-controlled organisation at a time.

Edward Exton Fletcher (275)

The Bill creates a structure for the imposition of CCO structures upon most council activities. This is opposed and the Bill should be revised to amend the earlier Acts to remove the forced imposition of new CCO structures upon council activities. The Minster’s ability to appoint the CCO boards is undemocratic and should be removed from the Bill.

Eileen Van Dam (276)

Elaine Dyer (048)

Democratic oversight of assets will end. The Minister will initially appoint the directors of the to-be-formed CCOs (modelled on SOEs) and decide on the CCOs functions. The arts and art facilities will be affected as it is possible there will be no Council representation on the Board of Directors of the CCO that will manage the public venues and facilities. New clause 35L - No Council input on how consultation with ethnic groups will be established, is up to the Mayor alone.

Elisabeth Laird (281)

CCOs will not be effective if they become council controlling organisations.

Elected councillors should appoint Chief Executives and control these organisations.

Elizabeth de Man (282)

Public services need to be managed by local bodies.

Elizabeth Jane Worley (283)

As CCOs could be constituted that are not supported by the Council, have objectives different to those adopted by Council or directors appointed without Council support and whose position is protected by the Minister, the Auckland Council should be required to review any new CCOs or directors, as well as their objectives and their governance, prior to the publication and adoption of the five Auckland Council LTCCPs and annual plans.

Eriata Peri Auckland Public Health Service (185)

Unelected appointees should not control Council assets.

Fiona Johnston (978)

The existing council should nominate and appoint the first directors of Auckland Transport.

Forum for Auckland Sustainable Transport (292)

Genevieve Utting (060)

Provision should be made to ensure that directors of Council entities or CCOs are not entitled to golden handshake packages and to establish a democratic accountability mechanism to allow Aucklanders to control who runs key Council institutions.
Geoffrey John Beresford (350)

Local elected representatives should have the power to appoint the people who they think best understand the needs of Auckland. The ATA should act in a caretaker role of the CCOs and the elected members of Auckland City Council should fill the majority of the boards’ positions. The CCO model can work and will have advantages for the city, however, Aucklanders should have the right to hold CCOs accountable. This is best achieved by having elected councillors sitting on their boards who will be publicly accountable.

Gerard Hill (802)

Should be a legislated requirement for CCOs to maintain regular, formal contact with Local boards on matters which may impinge on local communities. Submit that Auckland Council have guaranteed representation and voting rights on every CCO board.

Glenfield Community Board (163)

Use the Watercare Shareholder’s Representative Group model to appoint the directors of the Watercare CCO.

Graeme Ease (558)

Grant La Hood (748)

Grassroots Action Group (973)

Concerned about the powers and composition of council-controlled organisations. Have concerns that the proposed CCOs will not have elected and community representation but will rather be controlled by business people who are only interested in the financial bottom line.

Gretchen Schubeck (294)

Directors of CCOs should be appointed by elected local politicians.

Guy Bibby (077)

GW Powell (979)

Harry Russell Haley (115)

Minister should not have the power to determine the functions of CCOs nor should he have the power to appoint the initial directors of CCOs. Include the democratic process when determining the future of CCOs.

Hilary Jones (547)

Hilltrud Grueger Springleigh Residents Association (542)

I Muller (1230)

Ian A Gould (066)

Ian Gordon (502)

Individual Submitter 10 (966)

Individual Submitter 8 (968)

Jane Gilmour (062)
This proposal goes too far and takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

Janice B Cruickshank (373)

Janice Gardiner (075)

The Transition Authority should act in a caretaker role in establishing CCOs, leaving elected members to fill positions in these organisations.

Jeffery Ronald Saunders (370)

Jeremy Dumble (063)

Jerome Nicholas Partington (068)

John and Barbara Lusk (34345)

John Elliot (081)

CCOs is a misnomer as Auckland Council will have minimal influence over them. CCOs, taking 50 per cent of the rates collected by the Council, will carry out about 90 per cent of the Council's functions.

The Mayor should be the director of Auckland Transport.

John Kirikiri (909)

We need to ensure that the local is in local government - so that it is not run by business directors who motivated by the public interest.

John M Stansfield (905)

John Mackay (1210)

The Transition Authority should act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. This CCO model takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

John N. Sloane (808)

Elected councillors should be allowed to be directors of CCOs.

John Railton (5135)

Opposed - CCOs should have a majority of councillors as directors. Directors board meetings be open unless genuinely confidential.

John Shaw (607)

Jon Carapiet (879)

If Auckland is to have CCOs then it should be Councillors and Local boards who decide who the directors are.

Jon Randall Farrant (355)

Julie M Gould (069)

Half of the directors of CCOs should be appointed by elected local politicians.
Supports constitution of CCOs for Transport, WDA and Watercare Services. Support proposals by ATA for an
Economic Development, Tourism and Events Agency and CCOs for Property Holdings and Development,
Major Regional Facilities and Council Investments. Supports 35H(4)(a) and (b). Amend the Bill to include an
obligation for CCOs and Directors to take actions guided by the Mayor's vision for Auckland, and the
Auckland (spatial) Plan. Supports Minister making appointments. Supports phased reappointment of Directors
as it provides stability over the three year electoral cycle.

Kaaren Goodall Committee for Auckland (265)

Elected councillors must be able to be members of CCOs, to ensure democratic decision making on Auckland
matters. Key functions must have all decision directly made democratically and publicly by elected members
and not unelected appointees.

Karen Brown (7674)

Amend (2) to provide that no initial director can serve a term greater than two years. Amend (3) to provide
that the terms and conditions must include a power enabling the council remove the director, with or without
compensation, as it sees fit. Omit proposed section 76 and Clause 72, so that these matters can be
determined by the Auckland Council under its director's policy.

Auckland City Council (545)
Kath Dewar (702)

If Auckland is to have CCOs then it should be Councillors and Local boards who decide who the directors are.

Kayla Mackenzie-Kopp (806)

Council-controlled organisations should be completely under the control of the Auckland Council. All minutes
and agendas of council-controlled organisation board meetings should be publicly available.

Keith Sharp (1209)

Kim Walker (908)

Kris Burrows (072)

Concerned with the lack of Auckland Council representation on directorships of the CCOs. Concerned about
the apparent influence of central government in the area of local governance and the lack of accountability of
the CCOs. All CCOs should be able to be accessed using the Freedom of Information Act.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)
Opposed, we the ratepayers are shareholders with not basic rights.

Lance Taykor (601)
Opposed, as ratepayers we are shareholders with no basic rights.

Last Light Limited (600)

Strongly oppose the establishing of CCOs instead of Community Controlled Organisations. The Bill must
include substantive clauses outlining legal obligation to ensure full and open transparency and full democratic
responsibility to the people of Auckland by all CCOs or other Council Business Units, as well as by Auckland
Council. The default position should be that no CCO should have jurisdiction of any Waiheke services unless
it can be proven that such involvement is of regional significance. Instead control of the island's affairs should
be by Community Controlled Organisations.

Leith Duncan (811)
Len Richards (609)
Levent Okyay (070)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and Councillors should be able to sit on Boards of CCOs, and be held accountable for Councils actions.

Linda Kaiou (071)
Lisa Er (964)

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. Alternatively, the new Auckland Council, within 6 months of taking office, should be able to replace all directors, with nominees of its choice. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, and after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Living Streets Auckland (875)

This is a decision that should be determined by the new elected council.

Local Government New Zealand (543)

Interim directors could be appointed by the current Mayors and after the election permanent directors could be appointed by the Mayor and Council.

Lucy Hawcroft (555)
Lydia Sosene (1228)

Lack of procedures for consultation over key decisions; instead the ATA retains this power with regard to the functions of the Local boards and the setting up of CCOs. The Bill should limit the number and type of CCOs that can be enacted prior to the establishment of the Auckland Council to those absolutely necessary to enable governance transition, and that the Bill include a definition of the process for how constituent organisations are selected to be part of a CCO and the consultative process that must be employed by the Auckland Council when the creation of a CCO is being considered.

Lynn Lawton The Depot Artspace (267)
ME Walker (096)

Opposed to decision making transferring from Councils to CCOs with few or no elected councillors on their boards.

Maire Leadbeater (914)

Amend the Bill to allow relevant Ministers to appoint interim boards for CCOs for a set period of time and for the Auckland Council to make its own appointments and dismissal policy.

Manukau City Council (957)

Corporate model is undemocratic as it is unelected. Elected councillors should make the decisions rather than
one individual from central government.

Margaret Mills (876765)

Margaret Todd (911)

Marina Kokanovic (099)

All directors appointed to CCOs by the Minister or by Order in Council be considered an interim measure for a maximum of 3 years only, to enable the Auckland Council to establish its policy and appoint directors.

Franklin District Council (509)

All directors must be able to be removed or reconfirmed by Auckland Council from day one. Chairs must be appointed by Auckland Council. All objectives, including Transport, must be set by Auckland Council only. SOI details must be able to be reviewed/confirmed from day one. The extent of pre-1 Nov CCOs created by the ATA must be limited, so that Auckland Council can make its own decisions. All policy must be developed with Auckland Council and elected representatives, and CCOs are implementation bodies. CCOs must be subject to the LGOIMA - meetings must be in public, with normal standing orders to allow a public forum section.

Mark Donnelly (817)

Mark Paterson (107)

Martin and Sheila Hayes (089)

CCO directors should be directly elected or appointed by elected representatives. There is no clear coordination of the CCOs despite their inter-relating responsibilities, except perhaps at Ministerial level.

Martin Bruce Roberts (818)

The government is directing what CCOs should be established in Auckland and how they should be run. The structure proposed enables these organisations to be run with little accountability to the constituents they serve. CCOs should be appointed by the Auckland Council and be directly responsible to them.

Martin Sutcliffe (819)

The citizens of Auckland should be able to elect the councillors who they believe will act on their behalf and in good faith. The provision for ministerial appointees should be removed. There should be a definite and defined link between the CCOs and the councillors. The Council should be able to appoint and discharge the members of the Board dependent on our elected representatives.

Mary-Ann de Kort (822)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and so the community loses the ability to hold councillors accountable. Councillors should be on the Board of CCOs to bring accountability back to the community level. Oppose the Minister assuming the responsibility for the decision on what council functions are to be carried out by CCOs and to establish the CCOs. This should be the responsibility of the Council.

Massey Matters (814)

Concerned that the proposed model of CCOs will result in a significant part of the councils operations becoming unaccountable to the councils ratepayers and its elected officials. Councillors should be able to make up at least half of the CCO boards. CCOs should be required to interact and follow plans made by the council. The Transport CCOs brief is unnecessarily broad and includes functions that should be provided by a council department or business unit. Watercare should be as accountable to the council as any other CCO. CCOs should not be about making services easier to privatise, they should be focussed on providing the best services possible to ratepayers.
Concerned with the legislation creating CCOs, these statutory CCOs should be created, if desired, by the Council using its prerogative to use existing provisions under the LGA to form such organisations. If the formation of CCOs continues as proposed, they feel that the provisions of LGOIMA should be made to apply to these CCOs to allow for public awareness and submission on their activity. Council should also appoint the directors and name the Chair and Deputy Chair of these organisations. The Council should have the right to appoint existing councillors as directors of CCOs as it should be the council’s decision to determine those candidates most suited to the role. The founding directors should be appointed by an electoral college of the region’s 7 existing territorial authorities and the Regional Council. There needs to be stronger links between CCOs and the local and governing aspects of the Auckland Council.

Maungakiekie Community Board (197)
Megan Courtney (743)
Megan Vertelle (724)
Melanie Tuscia (728)
Michael Andreasen (1201)
Michael Douglas Scott (1212)
Michael Terry (1204)
Nadine McDonnell (937)
Natasha D F Sirett (1203)

The Minister of Local Government should not interfere in the democratic process by insisting on CCOs and appointing the initial Boards of CCOs. Local communities must have guaranteed ways to input either through the Local Boars or separately into all activities of the CCOs. Community economic development and local economic development must be enshrined legislation and be a function of community boards.

Neil Miller (522)

Recommends that the current Mayoral Forum is consulted on initial appointees to the boards of CCOs.

New Zealand Council for Infrastructure Development (949)

This removes local governance control and gives the Minister an inappropriate and unprecedented level of control in the affairs of local government.

New Zealand Council of Trade Unions (512)

Nexus Senior Sustainability Group (707)

Power is initially being taken by the Transition Agency and then by CCOs which are being established independently of and prior to the election of the Auckland Council and the establishment of Local boards.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Auckland Council should determine which CCOs it may need.

Splitting the governance of Auckland across disparate entities will result in less transparency, less accountability and less democracy.

Noelene Buckland (945)
CCOs should be appointed and organised by councillors.

Noreen Prudence Giles (094)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and that therefore we lose the ability to hold councillors accountable. Councillors should be on the boards of CCOs to bring accountability back to the community level.

North Shore Community and Social Services (830)

Supportive of the establishment of the ATA suggested new CCO structures, in particular the Major Regional Facilities CCO. The CCO should be established as a 'lean' organisation with a clear focus. The CCO will need to develop a tool to measure public benefit (return on investment). Also see value in independent commercial minded governance of each facility rather than in one council structure, it would be advantageous to retain the current trust board governance model in some format. Retain section 35G(2) as it introduces new CCOs and identifies the need to specify objectives and governance. Amend section 35G(3) by adding the following: “(c) That the Auckland Council administration does not duplicate or hinder the roles and responsibilities of any CCO”. Strongly support section 35H as it identifies that Directors of CCOs require the right skill set to be appointed to these positions, would also remove the vulnerabilities of a 3-year political cycle. Recommend that section 35H(4) is retained as it ensures the Minister appoints those with the right skill set to these important governance roles. Amend section 35H to identify how Directors will be appointed after the initial Ministerial appointments.

North Shore Events Centre (832)

CEO will have the right to decide who will be employed after 1 November 2010 and to determine the terms and conditions of employment for those workers.

Submitter supports the ongoing right of Unions to negotiate on their members behalf.

Northern Amalgamated Workers Union (934)

NorthWestern Community Association (936)

Recognises the desire to amalgamate and consolidate the current CCO structure. Democracy is important for community delivery outcomes.

NZ Sculpture OnShore Ltd (829)

Olga Brochner (1213)

A robust procedure for consultation between council-controlled organisations and local boards needs to be put in place.

Otara Community Board (203)

Directors of CCOs are to be appointed by local councillors. All Auckland directors of CCOs be appointed by Auckland councillors, not initially by the Minister.

Owen and Joy Lewis (103)

Decisions on CCOs should be made by elected politicians. The Minister of Local Government should not interfere in the democratic process by appointing the initial Boards of CCOs.

Pam Unkovich (525)

The decision to have CCOs operate in secret is totally opposed to democracy.

Panmure Community Action Group (825)
These appointments should be reviewable by the Auckland Council as soon as possible after 1 November 2010.

Papatoetoe Community Board (199)

The decisions on whether to create CCOs, how many, their functions and their compositions should be made by elected politicians. The Minister should not interfere in the democratic process by appointing the initial boards of CCOs. Local communities must have guaranteed ways to input either through the Local boards or separately into all activities of the CCOs and means to exercise their right of oversight. Community economic development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO. Community ownership and/or control of council-owned assets must be provided for, to allow for the option of local communities to develop their own economic programmes based on asset management or ownership and maximum utilisation.

Pat and Ron Watson (835)

Patricia La Roche (1214)

Elected members of the Auckland Council to fill the board positions. The future of Auckland transport should not be left to an independent business unit, Auckland Transport, but should be under the control of elected representatives.

Patricia M Reade (926)

Minister given powers rather than elected local politicians.

Peta Joyce (526)

Peter Aimer (931)

Peter Bartlett (928)

The directors of CCOs should be appointed by elected local politicians.

Peter Friedlander (104)

Peter McConnell (719)

Power to define CCO functions and appointments must rest with local people, not the Minister. Local boards must have input as well as Auckland Councillors.

Peter McCurdy (530)

Ensure that the Auckland Council can remove directors during their term of office. Add "(6) to avoid doubt, a person appointed as a director in accordance with this section may be removed from office by the Council by written notice".

Peter McKinlay Institute of Public Policy (368)

Peter Thomspn (717)

Phil Chase (718)
Supports caretaker role for ATA until there are elected members of the Auckland Council.

Pippa Coom Grey Lynn 2030 (293)

Concerned that the functions carried out by CCOs will be decided by the Minister and not the Council. Believe that Councillors should be able to fill at least 50 per cent of each of the CCO boards. Also believe that it should be clearly started in the legislation that the CCOs will have to interact and follow Council's long-term strategic plans. If the current format is retained, CCOs should be renamed as in their current form they are not controlled by the Council.

Princes Street Branch, New Zealand Labour Party (837)

Prue Elvidge (1207)

Without the checks and balances of the democratic process board appointees could create an environment of profit before people.

Raeburn House (921)

Opposed, directors should be appointed by elected representatives.

Reverend Jean Brookes and Reverend Anne Moody (616)

Richard Challis (923)

Opposed, directors of council-controlled organisations should be appointed by elected representatives.

Richard Green (615)

Minister has power which should be with elected politicians.

Robert Richards South Titirangi Ratepayers and Residents (541)

The people of Auckland will be unable to hold appointed directors of CCOs accountable. The elected representatives of Auckland should decide the governing board and functions of CCOs.

Robin Campbell (0114)

Otherwise Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

Robin Linda Duke (840)

Oppose the way in which the Bill proposes to set up the new CCOs for the management of Auckland assets. These assets are the property of the people of Auckland as represented by the democratically-elected councillors of the City. As such, they should be completely under the control of the existing Auckland Regional Council, which should have the power and responsibility to appoint the board members and executive officers. Also, the minutes and agendas of the meetings of these organisations must be made available to the public by law.

Robin Lorenz Hill (841)

Roger and Joanna Booth (098)

Romy Udanga (630)

Ron R Miller  (1229)

Establishing CCOs is the first step in privatising public assets. The public's right to information should be preserved.
Ruth Milburn (920)
Sandro Kopp (546)
Sarah Grimes (116)

Auckland Council should have responsibility for determining the need for new CCOs, including establishing the new Auckland Transport Agency. Auckland Council has responsibility for the appointment of directors and can appoint councillors to every CCO. CCOs have greater accountability to the Council to ensure their actions are consistent with the Council’s short and long term objectives and plans.

SavePapakura (941)
Scott Griffiths (947)
Sheila Pritchard (123)
Shirley Rosa Hardwick (638)
Sigrid Shayer (538)

Opposed, takes all control out of the hands of elected councillors.

Simon and Frances Breeze (625)

Directors should be appointed by elected local politicians.

Simon Griffiths (539)

Focused on economic development in the area and work across many areas of council. As the area's centre is situated on the Auckland waterfront, need to be involved with that development also. If economic development is split from council, CCOs become responsible for many for these areas. CCOs are not elected but appointed; they are not accountable to ratepayers which is a concern.

St Heliers Village Association (843)

Concerned that so much of the activity of the Auckland Council is being delegated to relatively independent CCOs, apparently without adequate accountability and control on the part of Auckland Council. Would like to see the legislation clearer on the charter of each CCO and ensure that the relationship between Auckland Council and each CCO is broadly the same as that between a parent company and its subsidiaries. Believe this requires strengthened accountability arrangements, including detailed public reporting of performance in relation to plan. Recommend that Auckland Council be given explicit authority to restructure the group, modifying the charter, structure and roles of CCOs if experience shows that is beneficial.

St Heliers/Glendowie Residents Association (842)

Steve Marshall (844)

The Minister will appoint the initial directors of all CCOs, undermining local democracy. All directors should be appointed by elected local politicians.

Steve Roigard (016)

The Minister, rather than democratically elected local politicians, will decide what CCOs to establish and appoint their initial directors.

Su Yin Khoo (845)

Would like to see more detail and clarity in regard to the other CCOs and more involvement of the elected governing body of Auckland in their processes and implementation. Object to both aspects of the appointment
process outlined in the Bill and the suggested composition of the CCO boards. Composition of these CCO boards will reduce local body voter’s ability to hold Auckland City councillors accountable for actions in relation to regional assets and infrastructure.

Sue Fitchett (846)

Susan Potter (847)

CCOs are not transparent or accountable to a constituency.

Susan Washington (848)

Suzanne Dowling (1215)

The Bill does not outline the relationships between the Council and CCOs, the relationships between the CCOs and the Boards or the community, the relationship between CCOs and the Spatial Plan. CCOs need to be linked to the Auckland Council by more than just a statement of intent and they need to be required to work under the Spatial Plan.

Suzanne Michele Weld (881)

The first preference would be for appointments to be made by an Electoral College of the existing councils and a Community Board representative; the second preference for appointments to be made by the Regional Council; and the third preference for appointments to be made by the ATA on the recommendation of the Electoral College. There should also be specific powers provided for the new Auckland Council to review all CCO director appointments any time in its first or second year and to be able to replace any without compensation.

Tamaki Community Board (195)

A transparent process should be established to ensure the voice of local communities is enabled and heard in the establishment and governance of the many proposed CCOs.

Te Ora o Manukau (942)

Support section 35H(4). Amend 35H to “identify how Directors will be appointed after the initial Ministerial appointments.”

TelstraClear Pacific (125)

Amendments must be made to place these powers around CCOs with local representatives.

Tet Woo Lee (849)

Should include roll over of existing conditions for council staff when they are transferred to another job within the new organisation.

The Aucklander (130)

Oppose. First preference for these to await appointment by the new Auckland Council; the second preference would be for appointments to be made by an Electoral College of the existing Councils and a community board representative, and third preference by the ATA on the recommendation of the Electoral College. There should also be specific powers provided for the Auckland Council to review all CCO director appointments at any time within its first or second year and to be able to replace any without compensation.

The Labour Local Government Sector Council (958)

Appointment of directors of CCOs by Minister represents an unacceptable incursion into the control of Auckland’s public financial interests by central government and must be amended. Power to make initial appointments to these entities ought to be vested in the Auckland Council once established. While the
establishment of CCOs may be opportune, the power of central government to entrust core council business
to these entities is repugnant to local democracy and risks enforcing a preordained structure and arrangement
of functions onto the new Council. The establishment of CCOs and allocation of functions to them must be
reserved to local authorities alone, except perhaps in relation to Auckland Transport.

Thomas Walter Harvey (850)

The Supercity Council should have strategic overview of all issues in the region. Consequently the Council
must be able to set strategic directions for the CCOs and be able to appoint the directors of these
organisations. It is important that staff transferring into the new Council should be able to transfer their
existing conditions (as a minimum) from existing council positions.

Three (893)

Tonga Confederated Society of New Zealand (733)

The Economic Development council-controlled organisation should be responsible for managing community
economic development; this responsibility should be enshrined in the Local Government (Auckland Law
Reform) Bill. Community ownership/control of Auckland Council assets should be provided for in Local
Government (Auckland Law Reform) Bill. Local communities need to have guaranteed input into council-
controlled organisation decisions.

Tony Mayow (1219)

Propose that the wording be changed, to remove references to powers to appoint by Minister of Local
Government and Minister of Transport to “elected councillors”.

Tracey Ann MacLeod (126)

Oppose the creation of council-controlled organisations, including Auckland Transport, and Watercare, that
control Auckland Council assets and events.

Trevor Darvill (1220)

Concerns about the way CCOs are proposed to be set up and run.

Trevor G Bridge (119)

Concerned about the government removing publicly-owned assets from democratic control, through the
implementation of CCOs run by unelected directors. CCO functions should be enshrined in legislation.

Val Wynd (854)

Veronica Friedlander (120)

Oppose - should be appointed by elected members of Auckland Council.

Vicky Tsang (646)

Opposed to the CCO model as it removes the local from local decisions and removes transparency and
community involvement. The Bill is short on the detail of the powers of CCOs. Local boards must have input
into the setting of the Statement of Intent for CCOs. There appears to be no requirement for CCOs to engage
with local boards. The Bill needs to be amended so that the Minister is explicitly required to specify the details
of mechanisms for CCOs and Local boards to work together. All local transport decisions should be made by
local boards.

Waiheke Community Board (894)
Local Government (Auckland Law Reform) Bill

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. Alternatively, the new Auckland Council, within 6 months of taking office, should be able to replace all directors, with nominees of its choice. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Walk Auckland Inc (861)

Auckland councillors will have no effective power over their CCOs.

Warwick and Hueline Massey (862)

There is a complete lack of local democracy in the establishment of the CCOs, their functions and the appointment of the initial directors, who should appointed by elected local politicians.

Warwick and Janet Sumpter (863)

Wendy John (868)

As they a 'council controlled', they should be chaired by a councillor. There should be a requirement to consult local boards on activities in their area. Board members should be required to be on the Auckland electoral roll. Initial CCO board members should be appointed by current elected councillors.

Western Bays Community Board (952)

Directors should be appointed by locally elected politicians giving residents a degree of confidence in the accountability process.

William Garden (131)

Any changes to the way we govern our city should not undermine democracy. The directorships, scope and functions of the new CCOs should be something our locally elected representatives decide on, not the Minister.

William Moore (871)

Opposes the appointment of board members to the CCOs by any Government Minister. Board members for each CCO should be elected representatives of the Auckland Council.

YouSay NZ (136)

Elected local politicians should decide upon the functions and appoint the directors of the CCOs.

Yvonne Matheson (547)

Keyword: Support

CCOs - Agree that basic services such as transport should be removed as far as practical from political pressure and interference.

Geoffrey Johnston (306)

Support section 35H(4). Amend 35H to "identify how Directors will be appointed after the initial Ministerial appointments."

TelstraClear Pacific (125)
Support as it identifies that Directors of CCOs require the right skill set to be appointed to these positions. An Electoral College system for the CCO director appointments should be expanded to ensure that all stakeholders are represented following the Minister's initial appointments. Recommend that section 35H is retained as it ensures the Minister appoints those with the right skill set to these important governance roles. Amend 35H to identify how Directors will be appointed after the initial Ministerial appointments.

Waitakere City Stadium Trusts (882)

Supports the creation of a CCO for holding commercial property and specific property development activities in the new Auckland Council. This allows the Council to utilise private sector skill to achieve public sector goals. Endorse the use of private sector board members with the CCO directly employing property professional to execute the agreed strategic development in accordance with the Statement of Intent.

Waitakere Properties Limited (858)

**Keyword: 35I Minister of Transport and Minister may appoint initial directors of Auckland Transport**

The following list of submitters oppose this part of Clause 24 or have suggested amendments including citing one or more of the following reasons or a non specified reason:

- Directors of Auckland Transport should be appointed by elected local politicians;
- Undermines local democracy; and
- Against the Minister appointing initial directors of Auckland Transport.

Adrian Pryor (140)

Aidan Burch (021)

Auckland District Council of Social Services (907)

Opposed to new sections 35G, 35H, 35I inserted.

Aidan Burch (142)

Oppose Minister of Local Government appointing directors of council-controlled organisations.

Alastair Jamieson (143)

Alistair Gillies (147)

Allen Davies (148)

The proposal to place major activities under the control of appointed directors removes from the democratically-appointed representatives any control over these functions on an ongoing basis. Citizens will be required to pay rates to the new body yet will have no ability to exert any pressure on the process of governance of these bodies through local representatives as they will be left with a minor part to play in their governance.

Angus Duncan Crombie (152)

Anne Priestley (154)

Annette Cook (049)

Audrey van Ryn (151)

Barbara Lucy Baragwanath (216)

Basil James Holmes (208)
Directors of CCOs should be appointed by democratically elected local representatives, not by Ministers. Ministerial power to appoint directors should not extend to appointments made after 31 October 2010.

Bera MacClement (218)

 Democratically elected councillors should appoint members to these boards.

Betty Mather and Eric Mather (059)

Bill Leonard (043)

Concerned at the number of CCOs established in the Bill and the extent of ratepayers funds that will managed by them at arms-length from the Auckland Council. The Auckland Council should have the right to determine which CCOs it will establish and on what terms.

Auckland Council has the power to appoint and replace all directors of all CCOs at any time, based on performance, including initial appointments.

The Auckland Council should have the power to require all its CCOs to implement relevant strategies and policies of the Council.

CCOs will lack public accountability and lack consultation with local boards.

Botany Community Board (950)

These sections undermine local democracy by allowing Government Ministers to select appointees for important local positions.

Carol Scott (087)

Democratically elected councillors should hold majority of seats on boards of council-controlled organisations. Salaries of chief executive officer and board members of council-controlled organisations should not reflect private corporate rates as council-controlled organisations are funded by rates.

Carol Symington (024)

Child Poverty Action Group (244)

Directors should be appointed by elected local politicians.

Chris Everitt (97656)

Citizens Transport Coalition (243)

The Auckland Transition Agency should have a 'caretaker' role until there are elected members of Auckland Council. Decision on establishing CCOs and appointments to Boards should be democratic, transparent and resulting from consultation by existing councils and boards.

City Vision (247)

Clare Davies (246)

Auckland Council should have the power to decide what functions are carried out by CCOs, which should be not be profit making enterprises. Auckland Council should have the power to make the initial appointment of Directors for all CCOs.

Elected representatives must be held accountable for transport decisions.
Clive Teare (901)

65-75 per cent of the budget of the new Auckland Council will be controlled by CCOs - the Bill proposes to limit Auckland Council control over the CCOs. Directors of the CCOs should be appointed by elected local politicians.

Community Waitakere Charitable Trust (253)

The corporatisation of council entities removes any form of democratic control over their ownership and management and appears to set an agenda for privatisation.

Coralie van Camp (035)

Councillor Brent Morrissey (229)

All directors of CCOs must be appointed by elected local politicians who are publicly accountable.

Danielle Romanes (266)

Directors of CCOs should be appointed by elected local politicians.

Dave Breur (268)

Don and Noreen Clark (944)

Directors of Auckland Transport must be selected by elected Councillors.

Donna Wynd and David Benson (100)

Directors of council - controlled organisations should be elected by local politicians.

Dorte Wray (260)

All directors should be appointed by Auckland's elected members.

Dr Alison Towns (320)

Proposes that the Bill is amended to require that directors of any CCO be appointed by elected representatives of the Auckland Council.

Dr John Salmon (037)

Implementing CCOs will remove publicly owned assets from democratic control. Elected Auckland Councillors should have direct control of our assets on our behalf rather than people with no mandate.

Dr M Dale (902)

Dr Paul Cullen (321)

The current Auckland councils, rather than the Minister of Transport, should appoint the initial members of the Board. Auckland Council should be required to appoint a completely new Board, should they wish to do so, within a year of the Council being formed.

Dr Paul Cullen (321)

Dr Rosemary Hope Lovell-Smith (106)

Dr Ry Tweedie-Cullen (219)

Drama Magic Ltd (019)
The Council should have the flexibility to be able to review and restructure CCOs as considered necessary. Appointments to CCOs should be left to the Council to strengthen accountability.

Eastern Bays Community Board (823)

Opposed - Auckland Council should decide.

Eden Albert Community Board (162)

Oppose - the current Auckland Councils, rather than the Minister of Transport should appoint any initial members of a board for Auckland Transport. All transport board members must be elected councillors.

Eden Albert Community Board (162)

Propose that a council-controlled organisation board member may only sit on the board of a single council-controlled organisation at a time.

Edward Exton Fletcher (275)

Elaine Dyer (048)

Democratic oversight of assets will end. The Minister will initially appoint the directors of the to-be-formed CCOs (modelled on SOEs) and decide on the CCOs functions. The arts and art facilities will be affected as it is possible there will be no Council representation on the Board of Directors of the CCO that will manage the public venues and facilities. New clause 35L - No Council input on how consultation with ethnic groups will established, is up to the Mayor alone.

Elisabeth Laird (281)

Public services need to be managed by local bodies.

Elisabeth Van Alkemade (279)

Elizabeth de Man (282)

Elizabeth Jane Worley (283)

Unelected appointees should not control Council assets.

Fiona Johnston (978)

The existing council should nominate and appoint the first directors of Auckland Transport. Auckland Council should be able to remove and appoint directors of CCOs through their three year term.

Forum for Auckland Sustainable Transport (292)

Genevieve Utting (060)

Provision should be made to ensure that directors of Council entities or CCOs are not entitled to golden handshake packages and to establish a democratic accountability mechanism to allow Aucklanders to control who runs key Council institutions.

Geoffrey John Beresford (350)

George William Blanchard (053)

Local elected representatives should have the power to appoint the people who they think best understand the needs of Auckland. The ATA should act in a caretaker role of the CCOs and the elected members of Auckland City Council should fill the majority of the board’s positions. The CCO model can work and will have advantages for the city, however, Aucklanders should have the right to hold CCOs accountable. This is best
Local Government (Auckland Law Reform) Bill

achieved by having elected councillors sitting on their boards who will be publicly accountable.

Gerard Hill (802)

Should be a legislated requirement for CCOs to maintain regular, formal contact with Local boards on matters which may impinge on local communities. Submit that Auckland Council have guaranteed representation and voting rights on every CCO board.

Glenfield Community Board (163)

Set up a Shareholder's Representative Group or an electoral college to appoint the initial directors and set the initial statement of intent. The Minister of Transport may want to appoint a member of this group.

Graeme Ease (558)

Grant La Hood (748)

Grassroots Action Group (973)

Concerned about the powers and composition of council-controlled organisations. Have concerns that the proposed CCOs will not have elected and community representation but will rather be controlled by business people who are only interested in the financial bottom line.

Gretchen Schubeck (294)

Directors of CCOs should be appointed by elected local politicians.

Guy Bibby (077)

GW Powell (979)

Harry Russell Haley (115)

Elected councillors should appoint CCO directors and be members of CCO boards.

Hilltrud Grueger Springleigh Residents Association (542)

I Muller (1230)

Ian A Gould (066)

No acceptable for boards to be appointed by Ministers, should have management appointed by and accountable to the elected council.

Ian Gordon (502)

Individual Submitter 5 (552)

Individual Submitter 10 (966)

Individual Submitter 8 (968)

Jane Gilmour (009)

Would prefer to see the Transition Authority act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. This proposal goes too far and takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

Janice B Cruickshank (373)
Janice Gardiner (075)

Jeremy Dumble (063)

The directors of CCOs should be appointed by elected local politicians to retain democratic control and accountability of these critical functions.

Jerome Nicholas Partington (068)

John and Barbara Lusk (3436)

John Elliott (081)

CCOs is a misnomer as Auckland Council will have minimal influence over them. CCOs, taking 50 per cent of the rates collected by the Council, will carry out about 90 per cent of the Council's functions.

The Mayor should be the director of Auckland Transport.

John Kirikiri (909)

We need to ensure that the local is in local government - so that it is not run by business directors who motivated by the public interest.

John M Stansfield (905)

John Mackay (1210)

The elected members of the Auckland Council, not the Minister, should have the power to decide what functions are carried out by CCOs and have the power to make the initial appointment of directors for all CCOs including transport. The Transition Authority should act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. This CCO model takes the core business of Council out of the hands of democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

John N. Sloane (808)

John Railton (5135)

Jon Carapiet (879)

Julie M Gould (069)

Half of the directors of CCOs should be appointed by elected local politicians.

Juliet Yates (805)

Add subclause (4)(c)"contribute a strong commitment to Auckland". Include an obligation for Directors of Auckland Transport to take into account how decisions will contribute to the achievement of the objectives of Auckland Transport and the broader strategic intent of the Auckland Council.

Kaaren Goodall Committee for Auckland (265)

Elected councillors must be able to be members of CCOs, to ensure democratic decision making on Auckland matters. Key functions must have all decisions directly made democratically and publicly by elected members and not unelected appointees.

Karen Brown (7674)

Amend (3) to provide that the Minister must ensure that at least some directors have an understanding of land
use planning, urban design and economic development, and how transport interacts these functions, and have experience working with communities on the impacts of transport decisions.

Auckland City Council (545)

Kath Dewar (702)

Katharina Bauer (038)

Opposed to the creation of CCOs for transport, water, council property and assets, events, etc as this means that Local boards and councillors will be cut out of the decision-making process. If Auckland is to have CCOs then it should be Councillors and Local boards who decide who the directors are.

Kayla Mackenzie-Kopp (806)

Council-controlled organisations should be completely under the control of the Auckland Council. All minutes and agendas of council-controlled organisation board meetings should be publicly available.

Keith Sharp (1209)

CCOs must remain controlled by the Council.

Kim Walker (908)

Kris Burrows (072)

Leaf Burrows (020)

The Bill must include substantive clauses outlining legal obligation to ensure full and open transparency and full democratic responsibility to the people of Auckland by all CCOs or other Council Business Units, as well as by Auckland Council. The default position should be that no CCO should have jurisdiction of any Waiheke services unless it can be proven that such involvement is of regional significance. Instead control of the island's affairs should be by Community Controlled Organisations.

Leith Duncan (811)

Levent Okyay (011)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and councillors should be able to sit on Boards of CCOs, and be held accountable for Councils actions.

Linda Kailou (071)

Lisa Er (964)

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, and after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Living Streets Auckland (875)

Current Mayors could appoint interim directors and the Auckland Council could appoint directors for a 3 year terms in October 2010.
Lucy Hawcroft (555)
Lydia Sosene (1228)
M E Walker (096)
Opposed to decision making transferring from Councils to CCOs with few or no elected councillors on their boards.

Maire Leadbeater (914)
Opposed. The Directors of CCOs should be appointed by elected local politicians.

Manfred Staab (012)
Amend the Bill to allow relevant Ministers to appoint interim boards for CCOs for a set period of time and for the Auckland Council to make its own appointments and dismissal policy. Amend clause to introduce a fixed interim period for the Council Controlled Board.

Manukau City Council (957)
Margaret Todd (911)
Marina Kokanovic (099)
All directors appointed to CCOs by the Minister or by Order in Council are considered an interim measure for a maximum of 3 years only, to enable the Auckland Council to establish its policy and appoint directors.

Franklin District Council (509)
All Directors must be able to be removed or reconfirmed by Auckland Council from day one. Chairs must be appointed by Auckland Council. All objectives, including Transport, must be set by Auckland Council only. SOI details must be able to be reviewed / confirmed from day one. The extent of pre-1 Nov CCOs created by the ATA must be limited, so that Auckland Council can make its own decisions. All policy must be developed with Auckland Council and elected representatives, and CCOs are implementation bodies. CCOs must be subject to the LGOIMA - meetings must be in public, with normal standing orders to allow a public forum section.

Mark Donnelly (817)
Mark Paterson (107)
Opposed. Allowing a majority of appointees to determine policy does not ensure that local concerns are addressed.

Martin and Sheila Hayes (013)
There is no clear coordination of the CCOs despite their inter-relating responsibilities, except perhaps at Ministerial level.

Martin Bruce Roberts (818)
The government is directing what CCOs should be established in Auckland and how they should be run. The structure proposed enables these organisation to be run with little accountability to the constituents they serve. CCOs should be appointed by the Auckland Council and be directly responsible to them.

Martin Sutcliffe (819)
The citizens of Auckland should be able to elect the councillors who they believe will act on their behalf and in
Local Government (Auckland Law Reform) Bill

The provision for ministerial appointees should be removed. There should be a definite and defined link between the CCOs and the councillors. The Council should be able to appoint and discharge the members of the Board dependent on our elected representatives.

Mary-Ann de Kort (822)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and so the community loses the ability to hold councillors accountable. Councillors should be on the Board of CCOs to bring accountability back to the community level. Oppose the Minister assuming the responsibility for the decision on what council functions are to be carried out by CCOs and to establish the CCOs. This should be the responsibility of the Council.

Massey Matters (814)

Concerned that the proposed model of CCOs will result in a significant part of the councils operations becoming unaccountable to the councils ratepayers and its elected officials. Councillors should be able to make up at least half of the CCO boards. CCOs should be required to interact and follow plans made by the council. The Transport CCOs brief is unnecessarily broad and includes functions that should be provided by a council department or business unit. Watercare should be as accountable to the council as any other CCO. CCOs should not be about making services easier to privatise, they should be focussed on providing the best services possible to ratepayers.

Matthew McIvor (815)

Concerned with the legislation creating CCOs, these statutory CCOs should be created, if desired, by the Council using its prerogative to use existing provisions under the LGA to form such organisations. If the formation of CCOs continues as proposed, the provisions of LGOIMA should be made to apply to these CCOs to allow for public awareness and submission on their activity. Council should also appoint the directors and name the Chair and Deputy Chair of these organisations. The Council should have the right to appoint existing councillors as directors of CCOs as it should be the council's decision to determine those candidates most suited to the role. The founding directors should be appointed by an electoral college of the region’s 7 existing territorial authorities and the Regional Council. There needs to be stronger links between CCOs and the local and governing aspects of the Auckland Council.

Maungakiekie Community Board (197)

Megan Vertelle (724)

Melanie Tuscia (728)

Michael Andreasen (1201)

Michael Douglas Scott (1212)

Michael Terry (1204)

Nadine McDonnell (937)

Natasha D F Sirett (1203)

Recommends that the current Mayoral Forum is consulted on initial appointees to the boards of CCOs.

New Zealand Council for Infrastructure Development (949)

Power is initially being taken by the Transition Agency and then by CCOs which are being established independently of and prior to the election of the Auckland Council and the establishment of local boards.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Auckland Council should determine which CCOs it may need.
Splitting the governance of Auckland across disparate entities will result in less transparency, less accountability and less democracy.

Noelene Buckland (945)

CCOs should be appointed and organised by councillors.

Noreen Prudence Giles (094)

The proposed structure and functions of CCOs takes the current core business of council out of the hands of democratically elected citizens and that therefore we lose the ability to hold councillors accountable. Councillors should be on the boards of CCOs to bring accountability back to the community level.

North Shore Community and Social Services (830)

CEO will have the right to decide who will be employed after 1 November 2010 and to determine the terms and conditions of employment for those workers.

Submitter supports the ongoing right of Unions to negotiate on their members behalf.

Northern Amalgamated Workers Union (934)

NorthWestern Community Association (936)

Recognises the desire to amalgamate and consolidate the current CCO structure. Democracy is important for community delivery outcomes.

NZ Sculpture OnShore Ltd (829)

Olga Brochner (1213)

A robust procedure for consultation between council-controlled organisations and local boards needs to be put in place.

Otara Community Board (203)

Owen and Joy Lewis (103)

These appointments should be reviewable by the Auckland Council as soon as possible after 1 November 2010.

Papatoetoe Community Board (199)

The Minister should not interfere in the democratic process by appointing the initial boards of CCOs. Local communities must have guaranteed ways to input either through the Local boards or separately into all activities of the CCOs and means to exercise their right of oversight. Community economic development and the right of local communities to have input into and control over local economic development, must be enshrined in legislation and in the purpose of the Regional Economic Development CCO. Community ownership and/or control of council-owned assets must be provided for, to allow for the option of local communities to develop their own economic programmes based on asset management or ownership and maximum utilisation.

Pat and Ron Watson (835)

Patricia La Roche (1214)

The Transition Agency is not required to provide staff with their existing conditions when they are transferred to another job within the city. In any restructure employee rights should be protected for a minimum of a year.

The future of Auckland transport should not be left to an independent business unit, Auckland Transport,
should be under the control of elected representatives.

Patricia M Reade (926)

Minister given powers rather than elected local politicians.

Peta Joyce (526)

Peter Aimer (931)

Peter Bartlett (928)

The directors of CCOs should be appointed by elected local politicians.

Peter Friedlander (104)

Peter McConell (719)

The power to define CCO functions and appointments must rest with local people, not the Minister. Oppose section 35I on Auckland Transport CCO appointments. Local boards must have a large input as well as Auckland Councillors. Staff must be able to preserve current conditions under the new set-up.

Peter McCurdy and family (810)

Peter Thomspoon (717)

Phil Chase (718)

The directors of CCOs should be appointed by elected local politicians.

Philip Jones (015)

Supports caretaker role for ATA until there are elected members of the Auckland Council.

Pippa Coom Grey Lynn 2030 (293)

Prue Elvidge (1207)

Without the checks and balances of the democratic process board appointees could create an environment of profit before people.

Raeburn House (921)

Richard Challis (923)

Minister has power which should be with elected politicians.

Robert Richards South Titirangi Ratepayers and Residents (541)

The people of Auckland will be unable to hold appointed directors of CCOs accountable. The elected representatives of Auckland should decide the governing board and functions of CCOs.

Robin Campbell (0114)

Otherwise Aucklanders will lose the ability to hold councillors accountable for much of what the council does.

Robin Linda Duke (840)

Oppose the way in which the Bill proposes to set up the new CCOs for the management of Auckland assets. These assets are the property of the people of Auckland as represented by the democratically-elected
councillors of the City. As such, they should be completely under the control of the existing Auckland Regional Council, which should have the power and responsibility to appoint the board members and executive officers. Also, the minutes and agendas of the meetings of these organisations must be made available to the public by law.

Robin Lorenz Hill (841)
Roger and Joanna Booth (098)
Ron R Miller (1229)

Establishing CCOs is the first step in privatising public assets. The public's right to information should be preserved.

Ruth Milburn (920)

Councillors and local boards should decide who the directors are.

Sandro Kopp (546)
Sarah Grimes (116)

Auckland Council should have responsibility for determining the need for new CCOs, including establishing the new Auckland Transport Agency. Auckland Council has responsibility for the appointment of directors and can appoint councillors to every CCO. CCOs have greater accountability to the Council to ensure their actions are consistent with the Council's short and long term objectives and plans.

SavePapakura (941)
Scott Griffiths (947)
Sigrid Shayer (538)

Directors should be appointed by elected local politicians.

Simon Griffiths (539)

Concerned that so much of the activity of the Auckland Council is being delegated to relatively independent CCOs, apparently without adequate accountability and control on the part of Auckland Council. Would like to see the legislation clearer on the charter of each CCO and ensure that the relationship between Auckland Council and each CCO is broadly the same as that between a parent company and its subsidiaries. Believe this requires strengthened accountability arrangements, including detailed public reporting of performance in relation to plan. Recommend that Auckland Council be given explicit authority to restructure the group, modifying the charter, structure and roles of CCOs if experience shows that is beneficial.

St Heliers/Glendowie Residents Association (842)
Steve Marshall (844)

Opposed to Ministerial appointment of Auckland Transport's initial directors. All directors should be appointed by elected local politicians.

Steve Roigard (129)
Su Yin Khoo (845)

Would like to see more detail and clarity in regard to the other CCOs and more involvement of the elected governing body of Auckland in their processes and implementation. Object to both aspects of the appointment process outlined in the Bill and the suggested composition of the CCO boards. Composition of these CCO boards will reduce local body voter's ability to hold Auckland City councillors accountable for actions in
relation to regional assets and infrastructure.

Sue Fitchett (846)

Susan Potter (847)

CCOs are not transparent or accountable to a constituency.

Susan Washington (848)

Suzanne Dowling (1215)

The Bill does not outline the relationships between the Council and CCOs, the relationships between the CCOs and the Boards or the community, the relationship between CCOs and the Spatial Plan. CCOs need to be linked to the Auckland Council by more than just a statement of intent and they need to be required to work under the Spatial Plan.

Suzanne Michele Weld (881)

In no circumstances should the Minister appoint the initial directors of any CCOs including Auckland Transport. The first preference would be for appointments to be made by an Electoral College of the existing councils and a Community Board representative; the second preference for appointments to be made by the Regional Council; and the third preference for appointments to be made by the ATA on the recommendation of the Electoral College. There should also be specific powers provided for the new Auckland Council to review all CCO director appointments any time in its first or second year and to be able to replace any without compensation.

Tamaki Community Board (195)

A transparent process should be established to ensure the voice of local communities is enabled and heard in the establishment and governance of the many proposed CCOs.

Te Ora o Manukau (942)

Amendments must be made to place these powers around CCOs with local representatives.

Tet Woo Lee (849)

Should include roll over of existing conditions for council staff when they are transferred to another job within the new organisation.

The Aucklander (130)

Oppose. First preference for these to await appointment by the new Auckland Council; the second preference would be for appointments to be made by an Electoral College of the existing Councils and a community board representative, and third preference by the ATA on the recommendation of the Electoral College. There should also be specific powers provided for the Auckland Council to review all CCO director appointments at any time within its first or second year and to be able to replace any without compensation.

The Labour Local Government Sector Council (958)

Auckland transport must be controlled by the Auckland Council.

The Waterview Environmental Society Inc. (1218)

Appointment of directors of CCOs by Minister represents an unacceptable incursion into the control of Auckland's public financial interests by central government and must be amended. Power to make initial appointments to these entities ought to be vested in the Auckland Council once established. This would require either the deferment of the inception of Auckland Transport and/or the various CCOs, so that the ATA has power to appoint directors whose term expires only after the expiration of a brief transitional period. While
the establishment of CCOs may be opportune, the power of central government to entrust core council business to these entities is repugnant to local democracy and risks enforcing a preordained structure and arrangement of functions onto the new Council. The establishment of CCOs and allocation of functions to them must be reserved to local authorities alone, except perhaps in relation to Auckland Transport.

Thomas Walter Harvey (850)

Tonga Confederated Society of New Zealand (733)

The Economic Development council-controlled organisation should be responsible for managing community economic development; this responsibility should be enshrined in the Local Government (Auckland Law Reform) Bill. Community ownership/control of Auckland Council assets should be provided for in Local Government (Auckland Law Reform) Bill. Local communities need to have guaranteed input into council-controlled organisation decisions.

Tony Mayow (1219)

Tony Siu (736)

Propose that the wording be changed, to remove references to powers to appoint by Minister of Local Government and Minister of Transport to “elected councillors”.

Tracey Ann MacLeod (126)

Oppose the creation of council-controlled organisations, including Auckland Transport, and Watercare, that control Auckland Council assets and events.

Trevor Darvill (1220)

Concerns about the way CCOs are proposed to be set up and run.

Trevor G Bridge (119)

Concerned about the government removing publicly-owned assets from democratic control, through the implementation of CCOs run by unelected directors. CCO functions should be enshrined in legislation.

Val Wynd (854)

Veronica Friedlander (120)

Supports the creation of a CCO for holding commercial property and specific property development activities in the new Auckland Council. This allows the Council to utilise private sector skill to achieve public sector goals. Endorse the use of private sector board members with the CCO directly employing property professionals to execute the agreed strategic development in accordance with the Statement of Intent.

Waitakere Properties Limited (858)

Recommends that the current Auckland Councils working together should nominate and then appoint the first directors of Auckland Transport. Alternatively, the new Auckland Council, within 6 months of taking office, shall be able to replace all directors, with nominees of its choice. The Auckland Council should appoint directors to its CCOs at any time during its three year term, including replacing directors appointed by others, with appointments occurring after public notification of its request for nominations. The Auckland Council should determine whether it wishes to continue with the CCOs created under this Bill, within two years of taking office, and after consultation with the Auckland community. Where appropriate all CCOs should be required to have a customer and other advisory panels, and an internal complaints procedure, that is publicly available and be subject to regulatory oversight.

Waitakere Inc (861)

Auckland councillors will have no effective power over their CCOs.
Warwick and Hueline Massey (862)

There is a complete lack of local democracy in the establishment of the CCOs, their functions and the appointment of the initial directors, who should appointed by elected local politicians.

Warwick and Janet Sumpter (863)

Wendy John (868)

As they are 'council controlled', they should be chaired by a councillor. There should be a requirement to consult local boards on activities in their area. Board members should be required to be on the Auckland electoral roll. Initial CCO board members should be appointed by current elected councillors.

Western Bays Community Board (193)

The Chair and Deputy Chair of all CCOs must be appointed by the Auckland Council.

Western Bays Community Board (952)

Directors should be appointed by locally elected politicians giving residents a degree of confidence in the accountability process.

William Garden (131)

Any changes to the way we govern our city should not undermine democracy. The directorships, scope and functions of the new CCOs should be something our locally elected representatives decide on, not the Minister.

William Moore (871)

Opposes the appointment of board members to the CCOs by any Government Minister. Board members for each CCO should be elected representatives of the Auckland Council.

YouSay NZ (136)

Elected local politicians should decide upon the functions and appoint the directors of the CCOs.

Yvonne Matheson (547)

**Keyword: Support**

CCOs - Agree that basic services such as transport should be removed as far as practical from political pressure and interference.

Geoffrey Johnston (306)

**Keyword: 35J Vesting of assets etc, in Watercare Services Limited**

The following list of submitters oppose this part of Clause 24 or have suggested amendments.

Clark Thomborson (248)

George William Blanchard (053)

Proposes that the stand-alone public water supply, wastewater and stormwater schemes be owned and managed by Watercare Services.

IPENZ Engineers New Zealand (367)
If the combined network is vested in Watercare, then Watercare must continue the existing sewer separation programme, and the Auckland Council and Watercare will be jointly responsible for all costs involved in undertaking the sewer separation programme and splitting the network, and that all stormwater assets will transfer to the council at no cost to the council.

Auckland City Council (545)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and Councillors should be able to sit on Boards of CCOs, and be held accountable for Councils actions.

Linda Kaiou (071)

Remove clause and ensure that all water and wastewater assets including stand-alone scheme are transferred to Watercare.

Manukau City Council (957)

Ensure that Pukekohe Wastewater Treatment Plant services are fairly and equitably managed through negotiation between Watercare and Waikato, which recognises the contribution of existing Franklin ratepayers who will be part of the Waikato.

Franklin District Council (509)

The Bill proceeds to establish the privatisation of water services. Water services need to be directly controlled by the Auckland Council and accountable through the council and Local boards to the city's citizens. There should be clear means by which water services are accountable to the citizens they serve via the city's political representatives.

Martin Sutcliffe (819)

NorthWestern Community Association (936)

There is no definition of "stand alone" with reference to water supply or wastewater scheme. An amendment is suggested, see full submission.

Rodney District Council (976)

CCOs are not transparent or accountable to a constituency.

Susan Washington (848)

Stand alone water and wastewater systems currently owned by local councils will be excluded from Watercare Services Ltd's assets and management responsibility. The Bill in its current form does not address any other entity as having management responsibility for such assets.

The New Zealand Water and Wastes Association (127)

This clause specifically excludes vesting of stand-alone water and wastewater systems currently owned by local councils as part of the assets and management responsibility of Watercare Services Ltd. It is of concern that the Bill does not identify any other entity as having management responsibility for such assets. Section 30A of the Local Government (Tamaki Makaurau Reorganisation) Act 2009, contains a contradictory provision and we request that this matter be clarified.

Water New Zealand, The New Zealand Water and Wastes Association (864)

**Keyword: 35K Development contributions already made or owed**

The following list of submitters oppose this part of Clause 24 or have suggested amendments.
Local Government (Auckland Law Reform) Bill

All clauses that relate to development contributions should include the terminology: "paid", "made", "incurred", "total cost of capital expenditure", and "required".

Greg Marr - Alethica Ltd (144)

Amend (4) to provide that development contributions required by an existing local authority at the close of 31 October 2010, must be paid or made to the Auckland Council.

Auckland City Council (545)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and Councillors should be able to sit on Boards of CCOs, and be held accountable for Councils actions.

Linda Kaiou (071)

Arrangements relating to development contributions held by, or owing to, terminating councils and unspent on 1 November 2010 do not appear to be adequately specified. The Forum recommends that such contributions be accounted for separately from any development contributions collected subsequently an only be spent on the projects for which they were raised and in the former district in which the were levied.

Local Government Forum (877)

Insert new clause to ensure the same legal rights for financial contributors as the Bill does not specify in this section the impact to financial contributions.

Manukau City Council (957)

Recognise that Franklin DC's assets and contributions will be split between Auckland, Waikato and Hauraki Councils. See also clauses 88-91. Ensure that any conflict between new section 35K of the Tamaki Makaurau Act and the First Schedule of the Auckland Council Act or the Third Schedule of the Local Government Act 2002 is removed. Options need to be included in the Bill to enable both Waikato District and Hauraki District Councils to manage development contributions in those parts of Franklin District they will inherit on 1 November 2010. Options that need to be made available in summary are:

- Option 1 That both Waikato and Hauraki inherit Franklin's Development Contributions Policy and charges on 1 November 2010 and continue to operate that policy unchanged, and the three parties (Auckland Council, Waikato DC and Hauraki DC) come to a separate agreement on the transfer of funds between themselves to cover growth costs
- Option 2 That both Waikato and Hauraki inherit Franklin's Development Contributions Policy, but are able to adjust the charges to reflect the actual costs once Franklin's assets and growth projects are split in accordance with the agreed split methodology. No SCP would be required for this option.
- Option 3 That both Waikato and Hauraki are able to absorb the assets and growth projects into their own Development Contributions Policy, and to apply their methodology and adjust their charges accordingly. This would be an amendment to their LTCCP, and would require an SCP for their 8 month Annual Plan

Franklin District Council (509)

Development contributions should be spent in the board area they were raised in.

Papatoetoe Community Board (199)

The fate of development contributions collected by the terminating councils and transferred to the Auckland Council needs to be clearly spelt out.

Peter Atkinson the Employers and Manufacturers Association (Northern) (551)

Recommends amending the Bill to clarify that development contributions will not be used to fund the cost of historic capital expenditure (specifically predating 1 November 2010). While development contributions should be used to fund the marginal cost of providing capacity to offset future demand, that funding cannot be used to fund deferred infrastructure that historically has not been funded in the Auckland region.
This section does not cover Financial Contributions. It must be recognised that councils will hold or be due Financial Contributions from legacy consents after 31 October 2010. Recommendation to reword to include both Development Contributions and Financial Contributions.

Rodney District Council (976)

35K (2) needs to be amended to ensure payment of development contributions from transferred areas of Franklin district pass directly to the Waikato and Hauraki District Councils rather than the Auckland Council. Please see submission for suggested wording of amendment. 35K (3) needs to amended to included Waikato and Hauraki District Councils’ obligation to hold development contributions for the purposes that they were required, and to recognise that part of Franklin District Council’s development contributions held by the Auckland Council should be transferred to the Waikato and Hauraki District Councils. Please see submission for suggested wording of amendment. 35K (4) needs to be amended to reflect parts of the Franklin district being transferred to the Waikato and Hauraki District Councils. Please see submission for suggested wording of amendment. The Waikato District Council should not be liable for the development contribution refunds owed by the Franklin District Council.

Waikato District Council (201)

The provisions in the Bill concerning the transfer of rights and obligations relating to the collection of development contributions are unnecessary as there are already clauses which stipulate that any and all rights and obligations of existing local authority organisations become those of the Auckland Council. Recommend the removal of clause 35K.

Keyword: 35L Chief executive of Ministry of Pacific Island Affairs must develop proposals in relation to establishment of Pacific Peoples Advisory Panel

The following list of submitters oppose this part of Clause 24 or have suggested amendments. There should be a statutory obligation to consult existing Pasifika Boards of local authorities and appointments made by the Council.

Auckland District Council of Social Services (907)

Recommends that children and young people be identified as a key group for Boards and Advocacy bodies to provide information and advice on their interests and well being.

Barnardos New Zealand (031)

The council should have input into the setting up of Advisory boards and panels.

Dr Rosemary Hope Lovell-Smith (106)

Democratic oversight of assets will end. The Minister will initially appoint the directors of the to-be-formed CCOs (modelled on SOEs) and decide on the CCOs functions. The arts and art facilities will be affected as it is possible there will be no Council representation on the Board of Directors of the CCO that will manage the public venues and facilities. New clause 35L No Council input on how consultation with ethnic groups will established, is up to the Mayor alone.

Elisabeth Laird (281)

Advisory Panel will have no real power.

Grassroots Action Group (973)
Ethnic Advisory Boards should be appointed by all appointed not only by the Mayor, but by all elected councillors.

Auckland District Council of Social Services (907)

Pacific representation in local government services needs to be retained and further developed.

Injury Prevention Network of Aotearoa New Zealand (358)

Require that existing councils’ Pacific advisory bodies be consulted.

Auckland City Council (545)

The ATA should act in a caretaker role in the establishment of CCOs, and elected Auckland members should fill board positions. Control of CCOs should be with elected members of the Auckland Council, and Councillors should be able to sit on Boards of CCOs, and be held accountable for Councils actions. Elected Auckland Council members must have input into the establishment of the Pacific Peoples Advocacy panel and the Ethnic Peoples Advisory Panel, and existing Pasifika Boards should be consulted on this process, and not leave the rights to the Mayor alone.

Linda Kau (071)

The expertise of existing Pacific advisory boards should be acknowledged.

Manukau City Council (957)

The Council should have input into the establishment of the Pacific People Advisory Panel and the Ethnic Peoples Advisory Board in consultation with the existing Pasifika Boards.

Noreen Prudence Giles (094)

Elected councillors should have input into establishment of Pacific Peoples Advisory Panel and Ethnic Peoples Advisory Panel. Existing Pasifika Boards should be consulted on establishment of Pacific Peoples Advisory Panel and Ethnic Peoples Advisory Panel.

Noreen Prudence Giles (1202)

Will further affect the bureau and community due to the ethnicity and concerns of volunteers and staff.

Otara Citizens Advice Bureau Inc (826)

The Manukau City Pacific Island Advisory Committee should be invited to discussion of the development of recommendations to the Auckland Mayor under this section, at least until 1 November 2010.

Pacific Economic Development Agency (886)

Elected Council should have input into the process of the Pacific Peoples Advisory Panel and the Ethnic Peoples Advisory Panel, and consult with existing Pasifika Board.

Mayor should control the establishment of the Pacific People Advisory Panel, with input from the Auckland Council and consultation with existing Pasifika boards.

Patricia M Reade (926)

Peter Bartlett (928)

Elected Council should have input into this process. Consult with the existing Pasifika boards.

Pippa Coom Grey Lynn 2030 (293)
Elected councillors should have input into establishment of Pacific Peoples Advisory Panel.

Prue Elvidge (1207)

Suggests amendment to align the Ethnic Advisory Board requirements with those of the Pacific Peoples Board, see full submission for detail.

Rodney District Council (976)

Auckland Council should contribute to this process, and not just the Mayor.

Susanne Vincent (726)

There should be a statutory obligation to consult the existing Pasifika Boards of the local authorities and the community boards as well and for the appointments to be made by the Auckland Council, not the Mayor alone.

Tamaki Community Board (195)

There should be a statutory obligation to consult the existing Pasifika Boards of the local authorities and the community boards as well and for the appointment to be made by the Auckland Council not the Mayor alone to ensure all Councillors respect their advice.

The Labour Local Government Sector Council (958)

Existing Boards and the Auckland Council should be involved in deciding the roles and future of the Boards.

Titirangi Ratepayers and Residents Association (730)

Include in this clause "specifying that the Chief Executive of the Ministry of Pacific Island Affairs consults with the Pacific community at large so that any proposals reflects the community.

Tonga Confederated Society of New Zealand (733)

Amend to introduce a requirement to review the Panel. Maintain the existing Territorial Authority Pacific Advisory bodies. Define Pacific peoples. Without this problems around dual representation on the Ethnic Peoples Advisory Panel. The Chief Executive must consult existing Territorial Authority Pacific Advisory bodies in Auckland.

Tuou Manapori Pacific Islands Advisory Committee (513)

There are inconsistencies in the consultation requirements for the establishment of panels as specified in Clause 11 and Clause 24.

Proposes a new section to apply to all the establishment of an ethnic people's panel whereby the Chief Executive of the Department of Internal Affairs leads the process, for full detail refer to the submission.

Uzra Balouch (974)

The Pacific Peoples Advisory Panel should be reconstituted as a statutory committee. An additional clause should be added reading: "(3)(c) such consultation must include established Auckland Pacific Island local body and regionally focussed organisations and committees". A Statutory committee will provide for surety that the voice of Pacific people will be heard. Including consultation with Auckland groups will ensure that there is a focus on Auckland Pacific people's needs.

Watersafe Auckland Inc (865)
Keyword: Support

Supports this proposal as it will enable greater representation and engagement from these communities. However, it is suggested that under the new Bill that the full elected council also have input into the establishment of this panel, rather than the Mayor alone. It is also recommended that the Panel is adequately resourced and funded by the Council.

ASB Community Trust (174)
No submissions were received on this clause.
No submissions were received on this clause.
Part 2 Amendments to Local Government (Auckland Council) Act 2009

Part 1 and Part 2 of the Bill need to include a generic employment provision to encompass the employees of all existing local government organisations as per the Tamaki Makaurau Act except for Watercare Services Ltd and any other CCO that is not being disestablished as a legal entity as of 1 November 2010 (or earlier).

Manukau City Council (957)

Suggests new amendments to Local Government (Auckland Council) Act 2009. Add "and the boards involved have not been able to reach an agreement" to section 17(2) (i). This would align it with the amendment to section 16 in clause 39 of the Bill. Delete section 17(2) (b) (ii) as it has no purpose and is too vague. Add "significantly" to section 17(2) (b) (iii) to ensure that Local boards are viewed as being the most appropriate body to make local decisions except where there is significant cause to vary from this course of action. This would reflect the intention to genuinely delegate local decision making to Local boards.

Ross Warren Pakuranga Community Board (191)
Clause 27 Principal Act Amended

No submissions were received on this clause.
No submissions were received on this clause.
Clause 29 New section 3 inserted

Should be redrafted to give a more democratic vision of Auckland's future development to 2050.

Geoffrey John Beresford (350)

The purpose of arrangements concerning Māori should be amended to "decide and advise on" issues for Māori not merely to promote them.

Tamaki Community Board (195)

The purpose of arrangements concerning Māori should be amended to "decide and advise on" issues for Māori not merely to promote them. The legislation or the Auckland Council should delegate some specific roles and decisions to them.

The Labour Local Government Sector Council (958)
Local Government (Auckland Law Reform) Bill

Clause 30 Interpretation

Auckland Regional Council recommends that the Bill provides a sunset clause of 30 June 2011 after which time these grants are written off if they have not been claimed.

Auckland Regional Council (916)

Local boards should be renamed 'community councils' to reflect the importance placed on them by parliament and the thrust of the legislation and government statements to more fully involve and empower local communities; and to reflect the fact that the Council and the local boards are two complementary arms of the Auckland local government structure. The term 'local board' is a meaningless name to the community.

Eastern Bays Community Board (823)

Remove clause and ensure that all water and wastewater assets including stand-alone scheme are transferred to Watercare.

Manukau City Council (957)

While the term "local boards" has been given to the local level of Auckland governance, the council prefers the term "community council". This terminology better reflects the intended status of this tier of governance, especially given the size of the population that many of the Boards will serve, which are larger that most other councils in NZ.

Papakura District Council (196)

All water and wastewater systems should be under the control of Watercare.

Papatoetoe Community Board (199)

There is no definition of "stand alone". An amendment is proposed, see full submission.

Rodney District Council (976)

Stand alone water and wastewater systems currently owned by local councils will be excluded from Watercare Services Ltd's assets and management responsibility. The Bill in its current form does not address any other entity as having management responsibility for such assets.

The New Zealand Water and Wastes Association (127)

Why are stand alone systems being excluded?

Toa Greening (556)

Local board description, suggestion to use 'community council' to clarify role.

Western Bays Community Board (193)
Delete this from the Bill and from section 5 of the Auckland Council Act.

Eriata Peri Auckland Public Health Service (185)
To give a democratic structure that allows full public participation and limits the cost of political campaigning, request that the Bill is altered to elect one Auckland councillor (and one alternate) from each local board, and these Auckland councillors to elect the Auckland Council Mayor; all councillors to be able to be replaced by their local board at any time during their term by a motion of no confidence and new election of councillors and or Mayor. This minimises campaigning costs for candidates, allows the public to truly know their local candidates and creates accountability of councillors and Mayor back to their local communities.

Brian Van Dam (232)
Eileen Van Dam (276)

Ward ratepayers should have access to a process for recalling/standing down their elected representatives and select someone else.

Grey Power North Shore Inc. (296)

Waiheke or at least the Hauraki Gulf should have a councillor representing the island or islands on the Auckland Council.

Waiheke Community Board (894)

The purpose of the Auckland Council has remained unchanged from the broadly enabling general purpose of local government in the LGA. The effect of a broader and clearer purpose and role is to provide direction and guidance to the Council and enable its performance to be measured against the intent of this reform. The Local Government (Auckland Council) Act 2009 effectively imports into the Auckland suite of legislation the purpose of section 10 of the LGA 2002. Clause 32 of the Bill should be further amended to extend section 6 of the LGACA by the addition of the following subclauses:

"(5) In addition to the matter in section 10 of the Local Government Act 2002, the purpose of the Auckland Council include:
(a) the coordination and integration of activities across the region to achieve sustainable development;
(b) the management of regional economic, social, cultural, environmental and physical systems; and
(c) the ability to regulate and manage a substantial and defined part of public affairs under its jurisdiction in the interest of local communities.
(6) In addition to matters in section 11 of the Local Government Act 2002, the role of the Auckland Council include:
(d) representing the interest of the communities of Auckland to Central Government and ensuring that Auckland Council contributes to the achievement of matters of national significance;
(e) developing Auckland as an internationally competitive city-region;
(f) having a duty of care to local boards and their communities."

Waitakere City Council (194)
Strongly recommends the Bill include a governance arrangement requiring Auckland Council and Local boards to work collaboratively with CCOs on 'local' activities. The framework for the relationship should be set by providing an inclusive operating arrangement allowing for Local boards to contribute to the development of not just the Auckland transport programme, but programmes embracing economic development, tourism, events and other activities affecting a local area.

Auckland Chamber of Commerce (175)

An addition should be made to clause 33 to provide stronger signals to the Council and local boards that social development needs in each community have equal priority to other wellbeings.

COMET Charitable Trust (250)

There is a need for a statutory requirement for the development of a governance agreement between the governing body and the local boards. Section 40 of the LGA 2002 provides a mechanism which is not fit-for-purpose for the two-tier governance model for Auckland that also includes arms-length decision-making by CCOs on matters of local and regional significance. A clear platform for the development of good relationships between the governing body, local boards and CCOs is needed, and Council submits that clause 33 be amended to refer to a governance agreement as set out in a new schedule 4. Council has proposed a new Schedule 4 called “Governance Agreements between governing body and local boards” For detail see original submission.

Waitakere City Council (194)
**Clause 34 Mayor of Auckland**

**Keyword: Mayor has too much power**

Bernard Rhodes (032)

Mayor of Auckland should have the same powers and responsibilities of the Mayors of other local authorities.

Lynette Loris Reed and Graeme Noel Reed (1227)

Mayor needs to be elected on a second vote system similar to London.

Tim Selwyn (644)

**Keyword: Other Comments**

There needs to be a supportive structure associated with the Mayor's engagement in social issues. While it is not appropriate for the legislation to determine the internal organisational structure of the Auckland Council, it is appropriate for the legislation to provide strong signals about the importance of improved social policy capability within the council, so that the Mayor's engagement with central government is informed, constructive and effective.

COMET Charitable Trust (250)

Concerned that the Mayor will not be accessible to communities outside the Auckland area and unable to attend school prize givings, building openings and the like.

Nathan Ngatai (014)

How will the Mayor be able to be effective when they do not have oversight of CCOs.

Richard Thumath (925)

**Keyword: Oppose**

Bernard Rhodes (032)

Raises concerns about political independence of the Mayor, the election process and the size of the new Auckland Council.

Jacqueline Amoamo (076)
Keyword: Other Comments

Lack of effective Māori representation.

Catherine Farmer (1691)

Should the ratepayer franchise continue for Local board elections?

Eriata Peri Auckland Public Health Service (185)

Minimum size of a board should be five.

Great Barrier Community Board (739)

One Māori Person per representative Board.

Jennifer Haraki (3322)

Opposes the notion that landlords will have increased influence in local body elections as a result of owning multiple properties.

Lorraine Stone (083)

If Auckland Council Councillors are not allowed to sit on Local boards how will they effectively understand the wants and needs of local communities.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

This clause is unclear on the extent to which residents as distinct from property owners are enfranchised in one or several wards.

NorthWestern Community Association (936)

Needs to be amended to provide, as in the current Act, that these electors must at least specifically apply every three years to go on the special and publicly accessible roll for this purpose. Better still, in line with the principle of one person, one vote, people should only be entitled to enrol and vote at the place they regard as their home.

Tamaki Community Board (195)

Needs to be amended to provide, as in the current Act, that these electors must at least specifically apply every 3 years to go on the special and publicly accessible roll for this purpose and only have one vote for each particular authority. Better still, people should only be able to enrol and vote at the place they regard as their home. One person, one vote.

The Labour Local Government Sector Council (958)

There should no longer be extra votes for property owners.

Western Bays Community Board (193)

The Remuneration Authority set the interim salary for all elected representatives from 1 November 2010 to 30
June 2011, and continue to set the honorariums and fees for all elected representatives in the Auckland region post elections.

Western Bays Community Board (952)

**Keyword: Oppose**

Concerned that if councillors are prohibited from sitting on local boards they will lack understanding of local issues.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

The Bill fails to provide for effective community representation and participation in decision making about local areas.

Dr Rosemary Hope Lovell-Smith (106)

Oppose an owner of multiple properties in separate wards being able to vote in wards that they do not reside in.

Edward Exton Fletcher (275)

Elizabeth de Man (282)

Clause 35(5) should be deleted.

Geoffrey John Beresford (350)

Oppose extra votes for property owners, as selected persons will possess more than one vote.

Jonathan Godfrey (705)

Membership of local boards should include Tangata Whenua, Pasifika, and Ethnic community representatives.

Lydia Sosene (1228)

That every eligible voter should have only one vote for the Auckland Council and one vote for the local board area in which they reside.

SavePapakura (941)

Object to the clause due to issue of multiple voting, allowing a single person multiple votes by virtue of multiple property ownership.

Tracey Ann MacLeod (126)

In line with the principle of 'one person one vote' electors should only be allowed to vote in the place they regard as their home.

William Garden (131)
Keyword: Other Comments

Proposed s11A should be amended to make Local boards local authorities, and their members local authority members, for most purposes and not just for the purposes of ss43-47 of the LGA.

Tamaki Community Board (195)

Auckland District Council of Social Services  (907)

Should be amended to make Local boards local authorities and their members to be local authority members for most purposes and not just for the purposes of sections 43 to 47 of the LGA.

The Labour Local Government Sector Council (958)

Keyword: Oppose

Dr John Salmon (037)
Keyword: Other Comments

The Bill should include "following consultation with all affected parties, including the local board, affected communities and the Local Government Commission" Local boards may be subject to a reorganisation proposal.

Amend to read: "Following consultation with all affected parties, including the local boards, affected communities and Local Government Commission, local boards may be subject to a reorganisation proposal."

Mangere Community Board (885)
Recommends inclusion of:
"following consultation with all affected parties, including the local board, affected communities and the Local Government Commission, Local boards may be subject to a reorganisation proposal.

Manurewa Community Board (800)
Include "Following consultation with affected parties, including the local board, affected communities, Local boards may be subject to a reorganisation proposal."

Maurice Hinton (78576)
This should be amended to include in possible reorganisation proposals the subdivisions of a Local board and the boundaries; the division of a Local board into two or more Boards; or for new Boards to be created out of two or more Boards. The Auckland Council should be able to comment to a Local board or to the Local Government Commission on any proposals put forward by Boards or by local residents, but it should not be able to act as a filtering, determining or vetoing body.

Tamaki Community Board (195)
Should be amended to include in possible reorganisation proposals also the subdivisions of a local board and their boundaries, the division of a local board into 2 or more boards and for new boards to be created out of 2 or more boards. The Auckland Council should be able to comment to a local board and to the LGC on proposals for boundary and other changes to boards put forward by boards or by local residents but not be able to act as a filtering, determining, or vetoing body for LGC decisions.

The Labour Local Government Sector Council (958)
Clarify that changes are defined by the LGC.

Western Bays Community Board (193)
Keyword: Other Comments

Auckland Regional Council recommends that:
no legislative provision is made prohibiting the Auckland Council from re-structuring its group structure at any
time, and that the general local government legislation is relied on instead.
no legislative provision is made that will constrain the Auckland Council's ability to determine the governance
structure it uses in relation to its CCOs.

Auckland Regional Council (916)

Recommends that children and young people be identified as a key group for Boards and Advocacy bodies to
provide information and advice on their interests and well being.

Barnardos New Zealand (031)

The Auckland Council and its local boards should be legally required to hold annual general meetings of
ratepayers. This could be achieved through amendments being made to Clause 38 and 39 of this Bill.

Clyde P Johnsen (054)

The formation in Auckland Council of a "Local board Committee" comprised of representatives from local
boards and councillors.

Eden Albert Community Board (162)

Local Government (Auckland Law Reform) Bill must contain anti-hegemonic clause to allow greater local
democracy.

Felicity Day (1232)

Needs to consider the maintenance of "Protected Areas" in major planning documents.

Kit Howden (065)

The process for contracting out Council services should be considered separately to the process of changing
the governance of Auckland,

Nigel Vaughan Smith (084)

The Auckland Council should not set up CCOs for the provision of core services, the CCO model should only
be used for non-core services.

Stephen Moore (124)

The Auckland Council should have the ability to enter into private or community enterprises to control the
waste stream so they are able to meet the objectives of the Waste Minimisation Act.

Sustainable North Trust (917)

The Auckland Council needs to have a fully integrated waste minimisation plan.

Sustainable North Trust (1216)
A general provision should be included at the end of section 16 of the LGACA that requires all CCOs to consult with local boards on the scope and priority of works in a local board area, and on the integration of work with other local priorities. Clause 38 should be amended with the following addition:

"38 Section 15(1) is amended by inserting the following paragraph after paragraph (e)
(f) Establishing and maintaining an effective working relationship with each local board and consulting with each local board on matters affecting the board area, including the programming and integration of projects, and the funding and execution of services and works, in particular:
(i) the Auckland Council must consult each local board on the development of the Auckland Regional Land Transport Strategy; and
(ii) Auckland Transport must consult each local board on the Auckland Land Transport Plan."
Concerned with the further diffusion of the relationship between citizen-ratepayer and local body when it comes to local area matters. The relationship between local bodies and the 'super city' is too remote.

Angus Duncan Crombie (152)

Want power to administer own resource consents and to have a legislated 50:50 input into all capital expenditure decisions and planning decisions regarding Waiheke. Desire our own peri-urban design panel.

Anu Grace (160)

Notes the legislation does clearly define what matters will be decided locally and what will be decided regionally, but believes a regional arts and culture strategy is necessary to ensure integrated decision-making across the Auckland Council. The amendment proposed in clause 39 of the bill provides for coordination across local board boundaries. However, this may only serve to complicate arrangements if the effect is that organisations have to apply for funding and maintain relationships with more than one local board. Creative NZ will monitor and provide input as appropriate to the work being undertaken by the ATA on the responsibilities of local boards.

Arts Council of New Zealand Toi Aotearoa (Creative New Zealand) (156)

The Bill does not give any clarity over the delegations, roles and responsibilities of Local boards, their relationship with the Auckland Council, CCOs and whether they will be required to operate within the parameters of a regional strategy and policy framework. The Bill's delegation of this work to the ATA undermines the democratic process as ATA is not required to undertake any consultation with the public. Recommend that the scope, roles and responsibilities, delegation process and obligations of the Local boards be determined in the Bill; that the Bill state that Local boards must work in alignment with the overall policy framework set by the Auckland Council; and that the Bill states that the Local boards will be obligated to provide services in support of each of the wellbeings contained in the Local Government Act 2002.

Arts in the City Working Group (172)

The Bill needs considerable clarification and strengthening in respect of setting a clearly defined role and function for the Local boards. Not having constructive roles and responsibilities for Local board members following elections would be unacceptable and will undermine efforts to build a better local government system Aucklanders can respect and benefit from.

Auckland Chamber of Commerce (175)

Oppose. There is a lack of definition of responsibilities of Local boards. Ensure there is consistency between local boards and Council policy.

Auckland Philharmonic Orchestra (182)

Auckland Regional Council recommends that this clause is deleted, leaving local boards with the freedom, but not requirement, to cooperate and collaborate.

Auckland Regional Council (916)

Submitter proposes that the responsibility for delivering a coordinated and integrated arts strategy for the region lies with both the Auckland Council (arts organisations and events of regional significance) and Local boards (arts organisations and events of local community nature), working together in a coordinated and integrated manner.
Auckland Theatre Company (975)

Oppose. Boards should choose to use certain Council options, or not, as the elected representatives may choose.

Barbara McNally (207)

Local boards need to have powers and responsibilities entrenched in legislation.

Basil James Holmes (208)

Oppose. Powers and responsibilities of local boards are not set out. Local boards must be given significant powers to control local issues.

Beatnik Publishing (204)

Bill fails to recommend extensive powers for local boards.

Ben Clark (214)

Concerned that local board will not have sufficient decision making powers to be effective.

Bernard Rhodes (032)

The powers of the local boards have not been defined but have instead been left to the Auckland Council. All things should be decided at the local level, unless the local boards consider them to be regional issues that should be passed up to a regional body.

Brian Murphy (228)

The powers and functions of local boards must be enshrined in legislation, not left to an unelected body (ATA) in the first instance, and later subject to the whims of different political views.

Ceilla Govind (238)

Supports this clause as small community groups need access to decision making and support at a local level that is not solely focussed on infrastructure development.

Centrestage Theatre (034)

Local boards must be given significant powers to ensure local communities have a strong voice in local issues.

If Local boards are to influence 'place shaping' then they need clearly defined, substantive and meaningful powers, responsibilities and functions enshrined in legislation. This would ensure clarity between local boards and Auckland Council.

There should be provision for Local boards to deal directly with CCOs where there is a local impact. CCOs should be required to sign Local board Agreements that stipulate Board and CCO interactions and decision making.

City Vision (247)

Local board must be equipped with the powers needed to make significant changes regarding issues that will affect their areas.

Clive Teare (901)

Each local board must be free to define the needs of its own community as the needs of the board. Local boards should be legally required to hold annual general meetings of ratepayers. This could be achieved
through amendments being made to Clause 38 and 39 of this Bill.

Clyde P Johnsen (054)

Specify the powers of Local boards in the Act. Include shared responsibility for resource consents, transport policy, tourism policy and economic policy for their respective areas.

Colin Beardon (025)

The legislation needs to clearly define the structure of representation, roles, functions and resourcing of Local boards to ensure local boards are effective; are able to link elected representatives, council officials and the community; and are able to participate to regional strategies and policies.

Community Waitakere Charitable Trust (253)

Empower local boards.

Cr June Turner, Roger and Zola Turner (620)

Strengthen local board powers with provision for transfer of assets to community groups, social enterprises. Reinvest in communities.

Daniel Findon and Catherine Murray (259)

More power to boards must be enshrined in legislation.

David Yates (258)

Should include consultative input from Waiheke Island residents. Want to administer own resource consents and have legislated 50:50 input into all capital expenditure decisions and planning decisions on Waiheke. Also want own peri-urban design panel.

Dee Austring (036)

Local boards should be able to deal with CCOs. Require CCOs to have an agreement with local boards including how they will interact and dispute resolution processes.

Denise Roche (263)

Local boards need to have authority to make decisions on local issues. Role of local boards needs to be clearly defined.

Denny Reid (056)

The Bill needs to deal explicitly with the powers and responsibilities of Local boards, not the ATA.

Diane Baguley (027)

The proposed structure allows the Mayor and the councillors of the new Auckland Council to control the power of the Local boards by allowing it to give and/or take away any and all responsibilities and powers of those Local boards.

Doris de Pont (269)

The proposed legislation does not establish any roles, functions or resourcing for the local boards.

Dr John Salmon (037)

The Boards must be given significant powers and the ability to control local issues to ensure that local communities do not lose their voice.
Dr Katharina Bauer (038)

A clear procedure is needed for the recommendation of bylaws by local boards and the making of bylaws by the Auckland Council to avoid widespread inconsistencies across the city.

Dr Kenneth Palmer (047)

Local board must have decision-making authority on all local issues and they must receive base-line funding guaranteed by legislation so that communities have some certainty of funding.

Dr M Dale (902)

Local boards must be given significant powers and the ability to control local issues to ensure that local communities do not lose their voice.

Dr Rosemary Hope Lovell-Smith (106)

Powers and responsibilities of local boards need to be enshrined in the Local Government (Auckland Law Reform) Bill. Relationship between council-controlled organisations and local boards needs to be enshrined in the Local Government (Auckland Law Reform) Bill.

Edward Exton Fletcher (275)

Bill to strengthen local board powers to have extensive decision-making powers on local issues.

Eden Albert Community Board (162)

Need to have more power to ensure that key community organisations continue to be strongly involved in the economic, social and cultural development of communities.

Elisabeth Vaneveld (255)

Amend to require relevant third part consultation as efficiently as practicable or the Auckland Council be required to consult with appropriate authorities when reviewing bylaws developed by Local boards as part of its own bylaw development and approval process. Allow Local boards to act independently and receive impartial advice form staff assigned to support each board.

If the allocation of responsibilities between Auckland Council and Local boards diminish the decision making power of the Local boards, Auckland Councillors may find that their representative and constituency roles expands substantially as residents raise concerns around Council decisions and service provision with them directly. This could potentially compromise the quality of decision-making if Councillors no longer had sufficient time to consider issues thoroughly.

Eriata Peri Auckland Public Health Service (185)

Supports the encouragement given to Local boards to collaborate and cooperate together when their interest align.

The role and function of a Local board must be clearly defined, and delegations must substantive and meaningful. Duplication of staff and political effort must be avoided, so it is important therefore that decisions made by Local boards are not revisited by the Auckland Council. Local knowledge and local input are essential components of "local" governance so while decisions by Local boards must play an effective role in deciding on important local issues. Auckland Council should delegate to Local board members the power to be part of a panel hearing local resource consents in order to provide local input and enable better connectivity between the Boards and the local community.

The legislation should clearly spell out the relationship between CCOs and Local boards and ensure a local voice on local issues.

Fay Freeman Takapuna Community Board (190)
Local boards and communities should be consulted by Auckland Transport on key plans and projects.

Local board decision making processes should be agreed and adopted at the local level and overseen by the Local Government Commission.

Forum for Auckland Sustainable Transport (292)

A clause 37A may need to be added to the Bill to amend s12 of the LGACA by introducing a clause that allows Local boards to own property sufficient for them to carry out their democratic functions. A further schedule could also be introduced to establish the procedures to be followed at local board meetings (it is not clear where these are supposed to take place).

Geoffrey John Beresford (350)

Local boards must have clear responsibilities

Glen Boyd-Criag (277)

Submit that the formation of a "Local board Committee" comprised of representatives from Local boards and Councillors, be included in the legislation. This will ensure direct, formal communication between these two tiers of council.

Glenfield Community Board (163)

Does not support a fixed and detailed prescription of all delegation to Community Boards but the core powers and duties should be spelled out in legislation. Refer to local boards with capital letters as with Auckland City and CCOs.

Graeme Easte (558)

Submitter in favour of local boards having powers defined in law that will enable them to control and manage decision making close to the people.

Community conservation forums should be established in each community to oversee environmental protection - including water management, animal and pest control, and coastal marine management.

Hauraki Islands Branch Royal Forest and Bird Protection Society (904)

Local boards should have delegations and have the same decision-making powers as currently held by Community Boards.

Howick Community Board (078)

Should include consultative input from Waiheke Island residents. Want to administer own resource consents and have legislated 50:50 input into all capital expenditure decisions and planning decisions on Waiheke. Also want own peri-urban design panel.

Ian Denis Powell (746)

Delegate as much as possible to Boards.

Individual Six (549)

Submitter suggests more information on the powers of Local boards is needed.

Injury Free Counties Manukau Programme Advisory Group (369)

Proposes that Local boards making, amending or revoking of bylaws is confined to non-infrastructure related matters.
IPENZ Engineers New Zealand (367)

Relationship between the Auckland Council and local boards needs to be clarified in the Local Government (Auckland Law Reform) Bill.

I Muller (1230)

Local boards should have authority and funding which reflect the diverse nature of Auckland communities.

Janice Gardiner (075)

Should be provisions for decisions to be made at local level.

Jean M Hatch (080)

Supports local boards having powers to control, own manage assets and facilitate community-owned enterprises for the benefit of the community. Supports local board being able to hire staff to provide the services required by the community.

Jerome Nicholas Partington (068)

Delegations to Local boards at the discretion of the Auckland Council rather than by legislation creates a biased hierarchical structure. Local boards should not lose any of the decision making powers currently held by Community Boards.

Jim Donald Howick Community Board (167)

Role of the local boards should be clearly defined, substantive and meaningful. Needs to be provision in this Bill to for local boards to deal directly with the transport organisation or any other CCO. Further detail please refer to the original submission.

Joel Clayford - Auckland Regional Councillor (704)

Support encouragement that this gives to Local boards to cooperate and collaborate when their interests align. No guarantee that the roles and functions of Local boards will continue after 30 June 2011. Disputes resolution does not cover lack of obligation of Auckland Transport to delegate to Local boards nor the lack of interaction between Auckland Transport and Local boards. Other CCOs are not obliged to interact, collaborate or coordinate with Local boards. This ought to provide opportunities for joint committees for distribution of funds to community organisations whose activities cover the one local board area. Has the Commission got it right with large Local boards like Waitakere having a real voice in what happens when it may be a lone voice being the only Board in the West?

Why not a shared decision re functions and powers of the Local boards, rather than Local board needing to be reactive to Governing Body Decision. Absence of linkages between the CCOs and the Local boards especially on local matters.

John G Riddell Massey Community Board (192)

Opposes the limited role and powers for Local boards.

John M Stansfield (905)

Need more powers so that local boards can invest in community based organisations and develop community assets and for an integral part of the work programme for a new economic development council - controlled organisation.

Joanne Harland (364)

Local boards should have powers and responsibilities defined in legislation.
John Elliott (081)
Local boards must have a relationship document with council-controlled organisations.

John Shaw (607)
Opposed to Bill as no ability for elected community boards to respond to issues by members in their electorates.

Jude Graveson (605)
Local boards should have a range of powers defined in the Local Government (Auckland Law Reform) Bill, and be able to apply these powers at their own discretion.

Kathleen Mary O’Sullivan (082)
Responsibilities and powers of local boards should be defined in legislation.

Kit Howden (065)
Auckland Council must invest in community based organisations to develop and preserve community assets and deliver critical services. Local boards will be critical in facilitating this.

Kristi Anderson (703)
How will concerns be met and if they are not, what recourse to a democratic process that we have. As much local government as possible needs to be carried out at the truly local level. I would be happy to see community councils with, for example, some revenue raising powers and real power over planning.

Lawrence Carter (2534)
Waiheke should have the power to administer their own resource consents and to have a legislated 50-50 input into all capital expenditure decisions and planning decisions regarding Waiheke. Also desire their own semi-rural design panel. The Waiheke Community Board should have the regulatory power to deal with local and community issues. This Bill must enable the Waiheke community, though the Community Board, to have decision-making responsibility over local assets such as planning and management of the ecology, landscape and heritage and control of the island's budget.

Leith Duncan (811)
Local boards should be required to agree and adopt their own local board decision-making process, consistent with good practice and the oversight of the Local Government Commission.

Living Streets Auckland (875)
The functions of the Auckland Council and the Local boards should be specified in legislation and the Local boards should have meaningful functions to undertake and a significant decision-making role.

Local Government Forum (877)
Propose that members of the public have consultative input into the proposed powers and responsibilities of local boards. Request that the Waiheke Island local board have the ability to administer its own resource consents, and have guaranteed input into Auckland Council capital expenditure and planning on Waiheke Island.

Lynette Loris Reed and Graeme Noel Reed (1227)
The Bill is not clear on how Business Improvement Districts will be administered and where they will sit in the new structure. Local board decision making for business associations will limit the progress of local economic development in town centres. Business associations should be the main drivers. The Bill makes no provision
for business associations to work closely with the council on economic development.

Mangere Bridge Progressive Business Assn Inc (915)

All local board areas and communities will be influenced by decisions taken by and for Auckland on the basis that, collectively, local board communities comprise Auckland Council - they are isolated from it.

Local boards should have the option to manage their own local facilities including recreation centres, swimming pools and community housing, including project management required through the Local Plan and Local Area Plan process from concept to completion.

Delegations to boards by the Auckland Council's Governing Body fails to honour the commitment to put the 'local' back in local government and instead crates a hierarchical structure. Boards must be able to make decisions and be accountable to their communities.

Manurewa Community Board (951)

Local boards must be given real decision-making powers so local communities can take care of their own local issues.

Marina Kokanovic (099)

Clarify how Local board Chairs and Ward Councillor roles can be strengthened to enable them to act as advocates and decision-makers for their respective communities.

Franklin District Council (509)

Amend clause 39 (p 37) to provide a better integration of the land use and transport objectives, which are consistent with the current objectives (ie those of ARTA)

Franklin District Council (509)

The Bill fails to set out the powers and responsibilities of the Local boards. The Boards must be given significant powers and the ability to control local issues to ensure that local communities do not lose their voice.

Mark Paterson (107)

Concerned that the Bill does not enumerate any of the delegations and powers that Boards are set to enjoy. Only explicit powers in legislation will ensure that local decision-making is made at the lowest competent level, especially as there are several widely interpretable reasons provided by the legislation which can be used to shift power to the governing body. There is a risk of communities and their Local boards having their powers gradually reduced, or being caught up in dispute resolution proceedings against a Council. Litigating changes in powers through a dispute process would take time and could cause the public to be unsure of the role of local boards and may over time erode public confidence in the effectiveness of Local boards.

Maungakiekie Community Board (197)

The loss of responsibilities for Local boards could see the demise of local community services such as crèches and sporting activities.

Michelle Kean (108)

No obligation on CCOs to interact with Local boards. All the CCOs need to consider the four well beings (social, economic, environmental and cultural) as part of their planning processes and operating principles. The boards of directors of the CCOs that will have a direct impact on local communities especially Auckland Transport should possess some knowledge and experience of how grass roots local communities tick. There should be requirement in the Bill the CCOs to have in place by the 31st day of May or for consistency with the LB plans the 30th of June) of the year following an election local agreement stipulating how the local boards and CCOs will interact and what decision making will prevail between the two boards. The relationship
between the CCOs and the Local boards needs to be subject to the disputes resolution process. A shared decision between the Governing Body and the Local boards in respect of the functions, responsibilities and power of the Local boards, rather than them needing to be reactive to governing bodies decisions.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

Residents should have a say in the powers of local boards currently being drafted by the Auckland Transition Agency, including the power to administer resource consents and have input into capital expenditure and planning decisions.

Millie Watkins (086)

There is no part of the Bill that deals with the relationship between Local boards and CCOs.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

Local boards require powers and responsibilities to be enshrined in legislation in order to be effective. Local boards should have the following responsibilities: plan local development, determine number and nature of local liquor outlets, have a role in granting resource consents, develop plans to mitigate impact of region developments (such as motorways) on local community, provide services such as libraries, and support voluntary community work.

Murray Dorreen - Mt Albert Residents Association (101)

The lack of a clearly defined role for local boards is confusing. Would like to know whether a community based arts organisation will have a relationship with the Auckland Council or a local board.

Natalie Fuge - East Committee of the Rodney Community Arts Council (058)

The powers and responsibilities of local boards are not sufficient to ensure local control of local issues and effective local representation.

Nexus Senior Sustainability Group (707)

Local boards should have real functions, real work, real responsibilities and real powers delegated to them. Also, if local boards have committees which deal with the management and stewardship of natural and physical resources, or other local board committees wish to have a Māori member, the respective provisions in Section 45(70) should apply. For further detail please refer to the original submission.

Ngati Whatua O Kaipara (710)

Concerned about the opportunities for young people to participate effectively in decision making processes. Concerned that young people will be required to travel to Auckland to participate in opportunities.

Nathan Ngatai (014)

There is too much power concentrated in the hands of too few.

Nigel Vaughan Smith (084)

Suggested recommendations include: local boards that include clarification on the role and function of local boards, decision-making responsibilities, and the relationship with CCOs. For further detail please refer to original submission.
North Shore City Council (200)

The Bill's lack of definition of Local boards roles and responsibilities impacts NZSoS and other mid-size organisations who are unclear if their relationship will be with Auckland Council or under the auspices of a Local board.

NZ Sculpture OnShore Ltd (829)

Add clause repealing Section 17 (2)(ii) of the Local Government (Auckland Council) Act 2009. Add clause amending Section 17 (2)(iii) of the Local Government (Auckland Council) Act 2009: text should read; "The benefits of a consistent or co-ordinated approach across Auckland will significantly outweigh..."

The powers and decision-making responsibilities of local boards should be enshrined in legislation.

Otara Community Board (203)

Suggests amendments to section 17 of Local Government (Auckland Council) Act 2009. Section 2(b) (i) should be amended to read "The impact of the decision will extend beyond a single board area and the boards involved have not been able to reach an agreement". Aligns with the amendment of clause 39. Section 17(2) (b) (ii) should be deleted because it appears to have no purpose but is vague enough for local decision-making to be assigned to the Council instead of a local board. Section 17(2) (b) (iii) should be amended to read "the benefits of a consistent or coordinated approach across Auckland will significantly outweigh the benefits of reflecting the diverse needs and preferences of the communities with each local board area". Ensures local boards are seen as the most appropriate body to make local decisions.

Pakuranga Community Board (111)

Legislation should provide for protection of a minimum level of functions for Local boards to ensure effective operation of democracy at a local level. While there has been some attempt to generally set out the overarching functions of the Auckland Council and Local boards, there is concern that the definition of board functions could be periodically overturned and changed at the whim of each newly elected Auckland Council. The Council strongly advocates that following the ATA's first local board function decision, minimum local board functions be set in legislation to avoid the propensity for adverse cyclical change to occur. Request that the Select Committee allow further submissions from the Councils of the Auckland Region following the release of the ATA discussion document.

The Council also considers that legislation should provide that the ATA be required to consult with, and take account of the views of, the current councils in reaching a final decision on the functions of local boards.

Papakura District Council (196)

The powers of each local board need to be defined by the Bill and not left as a matter to be determined between the Auckland Council and the local boards.

Peter Atkinson The Employers and Manufacturers Association (Northern) (551)

Board must be given sufficient powers and the ability to control local issues to ensure communities do not lose their voice.

Ramon Thackwell (090)

Recommends that the Auckland Council appoints 1 member of the Governing Body as an ex-officio member of the local board, the border of which most closely coincides with the electoral ward. Will improve relationship between the two.

Rodney District Council (976)

Local boards should be renamed Local or Community Councils. Local boards must have their powers set out in law enabling them to freely make important local decisions. There must be clearly set out in the legislation ways for the Local boards to participate and influence, the decision making of the Auckland Council. The
system should ensure the distinctive characteristics of the sub regional areas served by distinct City and
District Councils are preserved. Strong decision-making systems must be established to ensure effective
shared governance, partnership and collaboration between the Auckland Council and Central Government,
particularly over social wellbeing, transport and economic development.

Rev Andrew Bell (518)

No apparent mechanism for local boards to feed into longer term strategic direction. Their apparent
remoteness from Auckland Council will give rise to criticism and a disconnection with the very communities
the new structure has been initiated to integrate.

Rodney Economic Development Trust (731)

Auckland Council should invest in community based organisations and enterprises and have a new economic
development council - controlled organisation.

Roger Levie (621)

Powers and resources of local boards should be clearly defined.

Romy Udanga (630)

The proposed powers and decision making responsibilities of Board Boards must be defined, significant and
enshrined in legislation to even approach the concept of 'Local Democracy'.

Ross Williams (532)

Who do I go to if I need a local issue dealt with? If we do have someone to go to with our concerns, what
powers will they have to do anything about anything?

Roslyn Hiini (622)

That Local boards be renamed Community Councils. That the Bill includes the core responsibilities for local
boards across all four wellbeings.

SavePapakura (941)

Should include consultative input from Waiheke Island residents. Want to administer own resource consents
and have legislated 50:50 input into all capital expenditure decisions and planning decisions on Waiheke.
Also want own peri-urban design panel.

Shirin Brown (128)

For the Local board to be effective the Bill needs to give them adequate powers and responsibilities to:
a) have a major role in planning for local development; b) determine the number and nature of liquor outlets;
c) have a major role in resource consents and building standards; d) mitigate effect of regional needs on its
community; e) determine standards of behaviour and policing in their community; f) support services and
cultural facilities; and g) support voluntary community work.

There needs to be a balance between what are considered regional issues and what are considered local
issues, and how we develop the distinctiveness of different places while pursuing consistency.

Sir Harold Marshall KNZM (117)

Should include consultative input from Waiheke Island residents. Want to administer own resource consents
and have legislated 50:50 input into all capital expenditure decisions and planning decisions on Waiheke.
Also want own peri-urban design panel.

Susi Newborn (727)
Local boards should make decisions for their communities. Bill should set out the powers and responsibilities of Local boards.

The Waste Resources Trust (735)

Need more authority to act independently, including a power to set rates.

Tim Selwyn (644)

Lack of statutory delegation to Community Boards. Suggest the following delegations:

- unique local area planning, resources consents and bylaws within overall context of Auckland Council polices, strategies and regulations;
- the distribution of off-licence liquor licences and the establishment of the local area ratio of any individual local area board’s self-determined population densities to acceptable off-licence provision;
- similarly, for on-licence premises;
- within uniform Auckland Council guidelines, the provision and distribution of all local area board purpose-designated discretionary funding or application within that local area for playgrounds, tree-planting, public artworks, local area community activities, charities and public events, etc;
- within uniform Auckland Council guidelines, the stated direct ability to employ a separate targeted rate for any specific, defined activity outside the annual local area board’s budget to equitably fund any fairly evaluated proposal or programme for a defined catchment or community of interest within that local area;
- within uniform Auckland Council guidelines, participate in the selection, evaluation and approval of all Auckland Council community funding applications made for purposes or organisations with that local area; and
- local areas - and any of their electoral subdivision - become that smallest territorial division with the total Auckland Council for delivery of all Civil Defence and emergency preparedness programmes.

Tim Coffey Auckland CBD Residents’ Advisory Group Inc (RAG) (178)

Should include consultative input from Waiheke Island residents. Want to administer own resource consents and have legislated 50:50 input into all capital expenditure

Waiheke Island Community Planning Group Inc (WICPG) (741)

In addition to the changes in this clause, a general provision should be included at the end of section 16 of the LGACA that requires all CCOs to consult with local boards on the scope and priority of works in a local board area, and on the integration of work with other local priorities. Clause 39 should be amended as follows: "39 Section 16(1) is amended by adding the following paragraph after paragraph (d):
(e) advising the Auckland Council and Auckland Transport on local transport needs that the local board considers should be provided for in the Auckland Regional Land Transport Programme;
(f) local transport projects provided those proposals are incorporated into the Auckland Regional Land Transport Programme."

Waitakere City Council (194)

Local boards should be required to agree and adopt their own local board decision-making process, consistent with good practice and the oversight of the Local Government Commission.

Walk Auckland Inc (861)

Local boards should have decision-making responsibility for ‘place shaping’. Base responsibilities of local boards should be enshrined in legislation. Additional responsibilities should be able to be delegated (with a right to object).

A Local board chair or substitute should attend Auckland Council meetings for local matters. A Local board chair or substitute should attend CCO meetings for local matters.

Western Bays Community Board (193)
Keyword: Support

Support Auckland Council requiring local boards to have a local board agreement. Would like this Bill to require local boards agreements to be consistent.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Local boards should have responsibility for community parks and reserves defined in legislation. The Auckland Council should have responsibility for regional parks and reserves defined in legislation.

Kit Howden (065)
**Clause 40 Local board plans**

**Keyword: How to fund local boards**

Should be added - The formula by which fees and funding are collected for particular purposes from the local community, including dog licensing, parking, development contributions, local building permits, property and pensioner housing rentals and any other service fees providing the funding is used to contribute to and provide administrative support and in increased local services.

Mangere Community Board (885)

The criteria that triggers the need for Local boards to recommend the raising of local revenue need to be specified to ensure equity and fairness, and access to public facilities and services. Local boards are required to prepare and consult on their Local board plans which feed into the overall council plan and this is supported, but the concern is that the lack of access to the powerful CCOs will dilute the effectiveness of the plans. Local board plans must be completed by 30 April in the year following an election. This timeframe is considered unrealistic given the lead-up to Christmas and the summer break, and therefore it is recommended that the adoption of the plan be extended from the 30 April to the 30 June in the year following an election.

New Zealand Community Board Executive Committee (878)

The Plan must be supported by bulk funding. Local boards as the second tier of local government should be required to produce a community plan. The Local board must prepare the Community Plan for approval by the Council. The Plan must enable local place-shaping, the formation of local identity and local community development, and be consistent with the long-term Council Community Plan. The Auckland Council should consider supporting the local community through a policy of procurement of Council services through community-run Social Enterprises where possible, and if not possible, that any commercial procurement has a social exchange built into any tender, through the provision of goods and services back to the community.

Parnell Community Trust (828)

**Keyword: Other Comments**

Auckland Regional Council recommends that:
- local board plans should cover the same three year period as the Long-term Council Community Plan and be adopted by September or October of the year following the triennial election;
- local board plans are required to include budget information for the three year period;
- the local board agreement is considered to be the accountability document between the local board and the community, rather then the local board plan;
- that clause 40(2) be amended by replacing the term "local activity" with a more specific term; and
- Insert a new clause repealing section 22(3) of the Auckland Council Act.

Auckland Regional Council (916)

Six months is insufficient time to consult and prepare a local board plan. Local board plans should align with the timing of normal Long-term Council Community Plan processes.

Local boards must be sufficiently resourced to enable them to effectively carry out their allocated and delegated roles and responsibilities. Local boards should be serviced from officers and resources located and available within each local board, or ward, area.

Botany Community Board (950)
Local boards must be supported to provide community leadership. The legislation contains the potential for local boards to become the fundamental shapers of community social, cultural, environmental, and economic wellbeing. Because Local boards are at the intersection of community activity and council operations, they may be well-placed to develop plans that incorporate community social priorities.

COMET Charitable Trust (250)

The timeframe for the local boards to prepare local board plans, which cover a three-year period, by 30 April following the October election is very tight. It will be preferable that this date be extended to say 30 June 2011.

Eastern Bays Community Board (823)

Clarify if the intention is to determine a standard level of service and require a targeted rate for any funding required above the standard and the impact this might have.

Fay Freeman Takapuna Community Board (190)

A simplistic targeted rate regime could be imposed on the island without any recognition of the structural difficulties faced by the island’s residents and ratepayers. It would be appropriate for the Council and the local board to agree a set of minimum service standards. Service functions being carried out by CCOs will remove direct control from local boards.

Local boards need clearly defined resources.

Great Barrier Community Board (739)

Recommend that options for simplifying local board consultation procedures be explored, such as: simplified version of special consultative procedure, requiring only a summary of plans for Auckland Council's 10 year plan, providing joint hearings between local boards.

Greg Marr - Alethica Ltd (144)

Targeted rates can leave vulnerable communities isolated and under funded.

Individual Six (549)

Opposes Local board Plans including levels of service for infrastructure.

IPENZ Engineers New Zealand (367)

30 April deadline for the adoption of local board plans is unworkable. 30 June would be preferable.

Auckland City Council (545)

Want Local boards to have the resources and powers to deliver governance, including infrastructure requirements. Want present planning process associated with the "Future Urban Zone" to continue and the budgets to be maintained or added to during the transition process.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

Targeted rates may not work in vulnerable communities. Not clear how the legislation will enable the Council to look after the entire area under its control.

Lawrence Carter (2534)

The Auckland Council be required to allocate sufficient funds to the local boards to enable them to have a meaningful role in their areas.

Living Streets Auckland (875)
The Bill should include reference "to all revenue raised locally should be used to contribute to and provide administrative support and increased local services within a given local board area". Local boards should be able to consider whether or not they will manage their own facilitates through the Local Plan and Local Area Agreements process, rather then centralising Council owned property.

Mangere Community Board (138)

The ability to generate additional revenue sources should not impact on existing levels of service and that care should be taken to avoid inequities based on differing industrial/commercial rating bases. Local boards should be adequately resources to carry out their role. Local board plans should be prepared "no later then 30 September" to allow the local board time to consult and prepare a plan that feeds into the development of local board agreements and the draft long-term council community plan. Section 22 (3) of the Local Government (Auckland Council) Act 2009 should be amended to "should, where reasonably practical, be considered jointly."

Manukau City Council (957)

Should be added - The formula by which fees and funding are collected for particular purposes from the local community, including dog licensing, parking, development contributions, local building permits, property and pensioner housing rentals and any other service fees providing the funding is used to contribute to and provide administrative support and in increased local services. Clause 19(3) should be removed, except funding dedicated to particular purposes.

Manurewa Community Board (800)

Adoption of a Local board Plan should be delayed to a later date, such as at least June of the year following the election. That the Auckland Council's Funding Policy for Local boards be required to consider variations in local socio-economic status of each Board's local community. That the Auckland Council be empowered to either delegate local resource consent hearings to the relevant Local board, or that suitable qualified Local members be selected onto relevant Hearings Committees to consider local resource consents.

Franklin District Council (509)

If a driver for the new City is a standardisation, fee differentials may contradict this.

Maurice Hinton (7576)

Concerns as to how the need for any extra local revenue is triggered. Amend the Act to extend from 30th April to 30 June in the year following an election, the adoption of the plan.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

The Bill refers the work to define the functions and relationships of the Local boards to the ATA to carry out, As the ATA is not required by legislation to consult with the community, organisations such as NZSoS do not have a voice in the developing framework. Submits that the Bill articulates the roles and responsibilities of the Local boards and that the Local boards are obligated to provide each of the wellbeings contained in the Local Government Act 2002. The undesirable outcome of a signature arts event lost in the context of a Tourism and Major Events CCO focused on the Rugby World Cup is probable. The ATA should consider alignment of arts events with the arts and cultural area of the Auckland Council.

NZ Sculpture OnShore Ltd (829)

The second Act requires local boards to consult, (using the special consultative process) and adopt a local board plan by 30 April following an election. This deadline provides insufficient time for newly elected members to understand community preferences and priorities and for the board to be provided with the newly elected Auckland Council's funding parameters and strategic direction. In addition, the 3 monthly period necessitated by the LGA in relation to the special consultative process exacerbates the timing issues between the October election and April local board plan deadline. To alleviate these timing issues, the council suggests that local board plans be adopted by 30 September in the year following an election. These could then be fed into the LTCCP and could allow the plan and LTCCP to be enacted concurrently.
Local boards must be sufficiently funded to enable them to function properly. The deadline for local board plans should be extended to 30 September 2011. Reinvest ownership and financial benefits of existing significant council assets in their areas of origin for a minimum review period of nine years. Major historical deferred maintenance should be funded by those areas which have benefited from those deferrals for a minimum review period of nine years. Current levels of funding for major council attractions unique to each existing council should be constituted for a minimum review of nine years. Existing council projects of major significance should be continued at present timetables and funding levels. Significant sub regional events should continue at existing funding levels and be fund directly by the Auckland Council.

Papakura District Council (196)

Local boards must be sufficiently funded to enable them to function properly. The deadline for local board plans should be extended to 30 September 2011. Reinvest ownership and financial benefits of existing significant council assets in their areas of origin for a minimum review period of nine years. Major historical deferred maintenance should be funded by those areas which have benefited from those deferrals for a minimum review period of nine years. Current levels of funding for major council attractions unique to each existing council should be constituted for a minimum review of nine years. Existing council projects of major significance should be continued at present timetables and funding levels. Significant sub regional events should continue at existing funding levels and be fund directly by the Auckland Council.

Papatoetoe Community Board (199)

Considers that the proposal to align the local board plan with the LTCCP will not provide for adequate consideration of local board recommendations pertaining to funding and service delivery issues. The adoption date of 30 April should be amended to 30 September in order to give local boards sufficient time to consult with their respective communities. Recommends amending the Bill to provide for an adoption date of 30 September. This amendment would provide sufficient time to ensure that the LTCCP reflects sufficient input from local boards.

Property Council New Zealand (839)

Local boards must have secure guaranteed local funds based on the population, rate of growth and degree of deprivation of their community of interest.

Rev Andrew Bell (518)

The timeframe for the local boards to prepare their local board plans is too short. In forming the local board plans, the local boards should be explicitly required to consult with the mana whenua of the local board area. A partial solution exists in taking advantage of the time between enactment of this bill and the commencement of the Auckland Council on 1 November, this time could be used to collate existing strategic information that could quickly be used by the incoming local boards. Otherwise, it is recommended that the local board plan completion date be extended to 30 June of each year immediately following the triennial election.

The setting of a fee or charge by a local board at a level which could be different from that set for by the Auckland Council. Or the ability for some local boards to attract funding from an external source which would apply only to that area rather than benefiting the wider public. Local revenue source should be targeted to that area.

Rodney District Council (976)

Longer timeframes for timeframes for local boards to deliver their plans will allow real input and substance.

Rodney Economic Development Trust (731)

That this Bill includes controls on the use and necessity of targeted rates, fees and charges.

SavePapakura (941)

Reinvest ownership and financial benefits of existing significant council assets in their areas of origin for a minimum review period of nine years. Major historical deferred maintenance should be funded by those areas which have benefited from those deferrals for a minimum review period of nine years. Current levels of funding for major council attractions unique to each existing council should be constituted for a minimum review of nine years. Reinvest ownership and financial benefits of existing significant council assets in their areas of origin for a minimum review period of nine years. Existing council projects of major significance should be continued at present timetables and funding levels.

Toa Greening (556)

Local boards must have a baseline of funding. This should be based on population, socio-economic status
and planned growth in that community, and have the authority to make decisions on all local issues.

Val Wynd (854)

Concern that targeted rates may become the primary funding for local boards.

Waiheke Community Board (894)

The Auckland Council be required to allocate sufficient funds to the local boards to enable them to have a meaningful role in their areas.

Walk Auckland Inc (861)

There should be a formula for minimum funding levels. Do not see targeted rates being used (by anyone who wants to be re-elected).

Western Bays Community Board (952)

**Keyword: Oppose**

The Bill does not give any clarity over the delegations, roles and responsibilities of Local boards, their relationship with the Auckland Council, CCOs and whether they will be required to operate within the parameters of a regional strategy and policy framework. The Bill's delegation of this work to the ATA undermines the democratic process as ATA is not required to undertake any consultation with the public. Recommend that the scope, roles and responsibilities, delegation process and obligations of the Local boards be determined in the Bill; that the Bill state that Local boards must work in alignment with the overall policy framework set by the Auckland Council; and that the Bill states that the Local boards will be obligated to provide services in support of each of the wellbeings contained in the Local Government Act 2002.

Arts in the City Working Group (172)

Dr John Salmon (037)

**Keyword: Support**

Support the ability of local boards to raise targeted rates.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Suggests wharf charges be collected by local boards to fund facilities for visitors and the community.

Jerome Nicholas Partington (068)

Due consideration has to be given to equity, fairness and access to public facilities and services. Baselines for standards of service and facilities could be established at a reduced level.

John G Riddell Massey Community Board (192)

Due consideration has to be given to equity, fairness and access to public facilities and services. Baselines for standards of service and facilities could be established at a reduced level.

John G. Riddell (888)

Suggests that the Bill ensures there is a consistent approach in clauses contained within these Local board agreements.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

North Shore Town Centres Group (511)
Supports this clause, however the Council has concerns that the provisions relating to targeted rates in the Bill are insufficient to guide the imposition of targeted rates in this circumstance where the proposer of a targeted rate (the local board) is not the rating body (the Auckland Council) and where, in addition to targeted rates proposed by the board, the Auckland Council may also impose targeted rates. The Council submits that the Bill be amended with a new subclause after 40(2): “(7) The Auckland Council, after consultation with local board, must, by 1 December 2011 adopt a local revenue source policy outlining the types of activities where local revenue sources may be used.” Council also submits that clause 21(2) of the LGACA should be amended to include an additional subclause before subclause (2)(a) to read: “21(2)(a)(a) The Auckland Council and the local boards both agree to the change; or”...
Clause 41 Application of Schedule 7 of Local Government Act 2002

Oppose

Dr John Salmon (037)
Keyword: 32A Powers of Minster in relation to local board

Oppose

Dr John Salmon (037)
Edward Exton Fletcher (275)

Keyword: Other Comments

The proposal that appointed officials, should be able to override the council and its own officials, is inconsistent with local democracy and with the stronger accountability the government is seeking to enhance. Replace by a provision requiring a special election for local boards if requested by a community petition, representing 10 per cent of the registered electors or a review undertaken on behalf of the Auckland Council.

Local Government New Zealand (543)
Keyword: Other Comments

Propose that the Local Government Commission's proposed ward boundaries must be modified so that the commercial and urban centres of Manukau City are kept within, rather than split between, local board areas.

COGITA Business Services Limited (251)

Northern boundary for Auckland from Puhoi north in Rodney needs to remain where the Select Committee's recommendation that it should go from the Makarau to Puhoi, not left with another undemocratic decision, nor should local board boundaries be untouchable until after 2013.

Cr June Turner, Roger and Zola Turner (620)

Local Government (Auckland Law Reform) Bill should require all councillors to be elected from wards rather than being elected 'at-large'. Local Government (Auckland Law Reform) Bill should also guarantee a ward to based in the Gulf islands.

Lynette Loris Reed and Graeme Noel Reed (1227)

The area currently known as Manukau will not be included in the ward known as 'Manukau'. This needs to be changed so that the ward boundaries are aligned with place names.

Manukau City Baptist Church (088)

The Bill must redraw the constituency boundaries so they are the same as each other and the Act must be amended so that the constituencies are the same size as those of any other local government in New Zealand.

Sarah Grimes (116)

The Waikato District Council proposes that the boundaries of Auckland are not reviewed in the short to medium term.

Waikato District Council (201)
No submissions were received on this clause.
Part 4 Transport Management for Auckland

Submitter proposes that Auckland Transport be required to prepare a Statement of Corporate Intent and that the Auckland Council's approval is required for both the Statement of Corporate Intent and for bylaws.

IPENZ Engineers New Zealand (367)

A grave danger that isolating transport from other planning and implementation will hobble sustainable Auckland growth and development.

Janet Cole Community Coalition 4 Auckland (262)

Concerned at the ability of the council to effectively steer the new agency given the complexity and scope of its operation, and the ability of local boards to influence streetscape decisions affecting their neighbourhoods. The provisions that establish Auckland Transport as a CCO not proceed and that the issue of how transport services should be delivered is left to the new Auckland Council to determine.

Local Government New Zealand (543)

The CCO legislation for transport needs to identify the delegations local boards will hold to enable them to make decisions on local issues.

Mangere Community Board (885)

Amend the Bill to ensure the policies and designations regarding the Auckland transport system transfer to Auckland Transport.

Manukau City Council (957)

Auckland Transport should be required to follow Regional Land Transport Strategy, rather than just be 'consistent with' it. Oppose Auckland Transport's ability to undertake any other transport function the Auckland Council delegates with opportunity for public consultation.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Transport has to be subsidised to efficiently move people and vehicles around the city. This needs to be addressed by the governing body rather than profit making.

Margaret Bijl (912)

The Regional Land Transport Strategy is the dominant planning document which coordinates public transport and infrastructure within business and town centre areas, Auckland Transport should be required to work with this strategy.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

The relationship between the Auckland Transport CCO and land use strategies is unclear. No requirement to work strongly with it.

North Shore Town Centres Group (511)
Include the integration of transport and land use and to provide for the energy efficient, people friendly, efficient, minimally polluting land transport system. Should also be obliged to contribute to the economic, environmental, cultural and social wellbeing of Auckland.

Pippa Coom Grey Lynn 2030 (293)

Suggests the Bill requires the Auckland Council to create an Auckland Regional Land Transport Safety Strategy. This would be implemented by the Auckland Transport Agency as part of the Regional Land Transport Programme. The Auckland Transport Agency could be required, through an additional section in the Bill, to build and maintain safe roads and develop plans to address safety issues for all road users, including children.

Safekids New Zealand (892)

Add "water" to "sustainable land transport system".

Sigrid Shayer (538)

The Transport Authority must have a dedicated rail emphasis and mandate with its own rating power.

Tim Selwyn (644)

Amend to include a statutory requirement for the Auckland Council and Transport Agency to build and maintain safe roads and develop plans to address safety issues for all Auckland road users, including children. Suggest the Bill requires the Auckland Council to create an Auckland Regional Land Transport Safety Strategy. This would be implemented by the Auckland Transport Agency as part of the Regional Land Transport Programme and is recommended because road crashes cost the Auckland region an estimated $1 billion per year in medical costs, lost productivity and are a significant cause of death. Research shows child death and injury occurs more frequently while children are travelling to and from school. It is important therefore to identify this within the Act and to require best practice safety management of school traffic infrastructure and amenities at the highest strategic level.

Child Safety Foundation New Zealand (241)

Auckland Transport should be required to follow Regional Land Transport Strategy, rather than just be 'consistent with' it. Oppose Auckland Transport's ability to undertake any other transport function the Auckland Council delegates with opportunity for public consultation.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Auckland Transport should be required to establish advisory panels for forums to inform policy and projects for key user groups (people with a disability, public transport users, cyclists, etc).

Forum for Auckland Sustainable Transport (292)

It is not clear why transport by sea is not included in Auckland Transport when it must be part of an integrated transport system.

George William Blanchard (053)

Include State Highway and Rail networks within Auckland as part of the planning and management role.

Hilltrud Grueger Springleigh Residents Association (542)

Have some power over how state highway and rail projects are progressed in Auckland.

Lucy Hawcroft (555)

Auckland Transport should be required to meaningfully interact with transport stakeholders.
Infrastructure like roads, reserves and community facilities needs to be considered not just from the point of view of the bigger network, but also their contribution to local place making. Too much power vested with Auckland Transport, when more should be controlled by the council and local communities. Further, the board of this authority will be appointed by the government for various terms up to three years before the election of the Auckland Council and the public will not have access to its meetings, agendas or minutes.

Urban Design Forum (855)

Policy should be determined by the Auckland Council. Top level planning and design should be carried out by Auckland Transport, with detail-level execution and administration undertaken by the Auckland Council. Local ‘place setting’ decisions should be made by Local boards. Auckland Transport should be required to consult Local boards on their area. “Efficiency” should be included in the objectives of Auckland Transport. Auckland Transport should not have a right to make bylaws, recommend that this should only be the Auckland Council. Auckland Transport should have to exhibit social, environmental and economic responsibility.

Western Bays Community Board (193)

Provisions in relation to asset ownership and control need to be reviewed, to ensure that Auckland Transport has the appropriate statutory responsibilities and incentives to develop, manage and maintain Auckland Transport infrastructure in an efficient and effective manner. See original submission for further detail.

Auckland Regional Transport Authority (ARTA) (186)

Giving autonomy to Auckland Transport undermines the intent of the reforms - to provide an integrated approach to decision making and the management of public infrastructure.

Chris Randell (044)

Include an explicit link between the regional land transport programme and the Spatial Plan.

Manukau City Council (957)

There should be full Auditor-General reviews of Council and CCO performance. Water and transport are core services and should incorporated into Auckland Council. There needs to be more ratepayer oversight and involvement in CCOs.

Stephen Moore (124)

**Keyword: 37 Interpretation**

Auckland Regional Council recommends that the Bill is amended to revise and clarify the definition of the Auckland land transport system to ensure that the definition is unambiguous (railway stations, certain footpaths, public transport system) and that all parties are clear as to their rights and responsibilities.

Auckland Regional Council (916)

Definition of “Auckland transport system” lacks the necessary precision to enable a clear allocation of functions and responsibilities between Auckland Transport and Auckland Council. For further detail please refer to original submission.

Auckland Regional Transport Authority (ARTA) (186)

Local transport issued such footpaths, local roads, local public transport facilities and local traffic improvements must be dealt with the by Local boards as part of their legislated duties.

Barbara Lucy Baragwanath (216)

Auckland Council should determine the amount of rates that can be levied and then spent on transport in the
region. The Auckland Transport board should operate with transparency and accountability and be bound by the Local Government Official Information and Meetings Act 1987. Local boards should have a role in local roading issues, and should have a direct link and relationship with Auckland Transport.

Botany Community Board (950)

Better integration is required between state highways, railways and local roads.

Campaign for Better Transport Inc (132)

The definition of "Auckland transport system' should be amended to include state highways and railways. Section 41(b) of the Local Government (Auckland Council) Act 2009 should be amended to included: "provided that, in relation to state-highways, such management and control shall be exercised jointly with the New Zealand Transport Agency and, in relation to railways, such management and control shall be exercised with New Zealand Railways Corporation."

Catherine Denisov (237)

Suggests amendment to Clause 45 section 37 to remove from the definition those things that should be the responsibility of the Council or Local boards (e.g. footpaths, berms, those parts of road reserves not used as roading, street vegetation, street furniture and utilities buried in or otherwise utilising road reserve space).

City Vision (247)

Suggestions include: transport functions should be assumed by Auckland Council not Auckland Transport; better integration between railways, state highways and local roads; Auckland Transport should comply with sections 59, 60, 64 & 74 of Local Government Act 2002; give effect to the Regional Land Transport Strategy; stronger links between Auckland Council and Auckland Transport; current Auckland councils should appoint initial members; and proposed draft structure lacks emphasis on infrastructure planning. For further detail refer to original submission.

Dr Ry Tweedie-Cullen (219)

Bill should be amended so that the council and local boards are identified as partners in the usage, design and maintenance of roads to remove the Transport Agency’s sole responsibility for roads. Unelected appointees should not control Council assets.

Fiona Johnston (978)

This clause should be changed so that parking facilities, whether on-street or off-street, are included in the definition as parking is a crucial element of the transportation system.

Also excluded from the definition are pathways, walkways and public access easements that are used as part of the walking and cycling network of Auckland as well as some access routes to public transport. To clarify responsibilities these should be included in the Bill.

IPENZ Transportation Group (900)

Amend (1)(a)(i) to provide the ability to exclude certain areas from the definition of "road" for the purpose of the definition of "Auckland transport system"

Auckland City Council (545)

Should be subject to the democratic process, which would not happen under the CCO model. Transport should be run by Auckland Council as part of an in-house business unit with approx half the operating budget of the Council, and as a priority matter for Aucklanders and not a profit making enterprise. Elected representatives must be accountable for all decisions including transport.

Linda Kaiou (071)
Include responsibility for managing off street parking.

Lucy Hawcroft (555)

Amend to give the responsibility for off-street parking to Auckland Transport. Amend the Bill to include a definition of the Auckland transport system and in particular public transport infrastructure.

Manukau City Council (957)

Auckland Transport should have to consult Local boards on parking restrictions, location of pedestrian crossings and traffic control signs.

Manurewa Community Board (951)

(1)(b) should not exclude "Council controlled of street parking facilities" and 41(e) should also be amended. Park paths and similar facilities can play a very important role, especially in the active mode transport networks (walking and cycling), and need to be included here.

Mark Bracey Cycle Action Auckland (280)

Council is concerned at the lack of clarity regarding the inter-relationship between Auckland Transport and Local boards. The levels of repair of local footpaths, where local bus routes are located, residents concerns about local road safety issues, positioning of Local Area Traffic Management measures and whether intersections are managed by traffic lights or roundabouts are all examples of matters in which there is very high local interest. If Local boards are to have a genuine role in local democracy, they must be able to influence these matters. The legislation should provide that there is an obligation on Auckland Transport to consult with Local boards and to take account of the Local boards views. Consider that Auckland transport should manage the park and ride facilities of the region as there are generally an important component of the public transport network. The exclusion in the definition of the Auckland Transport system includes "cl 37(1)(b)(iii) off street parking facilities under the control of the Council" which appears to exclude the park and ride facilities.

Papakura District Council (196)

Amend (1) (b) to take out things which should be done by the Council or Local boards e.g. footpaths, berms, street vegetation, etc

Pippa Coom Grey Lynn 2030 (293)

That park and ride facilities be transferred to the responsibility of Auckland Transport rather then individual local boards.

SavePapakura (941)

S37 is an important opportunity to amend the definition of the Auckland Transport System to take out of the definition things that should not be done by Auckland Transport but by the Auckland Council or, preferably, Local boards. Such items include footpaths, berms, street vegetation, street furniture and utilities buried in or otherwise utilising road space.

Tamaki Community Board (195)

Part 4 - Transport management for Auckland, should be deleted in its entirety and transport be included as another function of Auckland Council and the Local boards.

The Campaign for Better Transport Inc (132)

Vital to amend the definition of the Auckland Transport System to take out of the definition things that should be done instead by the Council or by local boards, e.g. footpaths, berms, etc. 39 - "Energy efficient, people friendly, efficient and appropriate land use, contributing to good urban design and minimally polluting" should be added to the objectives of Auckland Transport. Its should also be obligated legislatively to contribute to
the economic, environmental, cultural and social wellbeing of Auckland.

The Labour Local Government Sector Council (958)

Local transport issues such as footpaths, local roads, local public transport facilities should be dealt with by local boards as part of their legislated duties.

Tony Siu (736)

That Auckland Transport not be allowed to make by-laws. That Auckland Transport be allowed to delegate local transport issues to local boards.

Western Bays Community Board (952)

**Keyword: 38 Establishment of Auckland Transport**

Objects to semi privatised CCOs with minimal oversight by elected officials and not providing full transparency on their business and practices.

In the case of Waiheke the provision of roading services should be independent from Auckland Transport.

Andrew Watkins (040)

The Auckland Regional Council recommends that the proposal to establish a transport agency is removed and that the Bill is amended to provide for all transport and roading functions and responsibilities to be allocated by the Auckland Council.

Auckland Regional Council (916)

Auckland Transport should be run as an in house unit by the Auckland Council. It is essential that those who run are directly accountable to ratepayers. It is essential for the design and provision of transport facilitates to be integrated with other aspects of Auckland governance such as land use planning and storm water flow.

Bera MacClement (218)

The separation of the Auckland Transport Agency from the Auckland Council would adversely affect the Council's ability to plan for Auckland's transport needs within the context of the Council's district, spatial, and long-term plans.

Brent Cryer (023)

The Campaign would prefer to see the ATA act in a 'caretaker' role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. Any organisation running Auckland Transport should be run transparently and in a not-for-profit way as transport enables and facilitates people in their working life. The Transport Agency should be run as an in-house business unit by the Auckland Council. Elected representatives must be held accountable for transport decisions.

Campaign for Fair Ferry Fares (235)

Transport management should be carried out by the Auckland Council rather than a council-controlled organisation. Auckland Transport should not be exempt from sections 59,60,74 of the Local Government Act 2002. Auckland Transport should be required to 'give effect to' the Regional Land Transport Strategy. It is not appropriate for Auckland Transport to give effect to the Government Policy Statement. Auckland Transport should have a focus on planning for sustainable transport solutions.

Citizens Transport Coalition (243)

Auckland Council should carry out the transport function. Exempting provisions of the Local Government Act 2002 would undermine accountability to the people of Auckland.

Dr Paul Cullen (321)
Suggestions include: transport functions should be assumed by Auckland Council not Auckland Transport; better integration between railways, state highways and local roads; Auckland Transport should comply with sections 59, 60, 64 & 74 of Local Government Act 2002; give effect to the Regional Land Transport Strategy; stronger links between Auckland Council and Auckland Transport; current Auckland councils should appoint initial members; and proposed draft structure lacks emphasis on infrastructure planning. For further detail refer to original submission.

Dr Ry Tweedie-Cullen (219)

It is not clear why transport by sea is not included in Auckland Transport when it must be part of an integrated transport system.

George William Blanchard (053)

Opposed to CCOs not under direct oversight and control of the Auckland Council. Should be subject to the democratic process, which would not happen under the CCO model. Transport should be run by Auckland Council as part of an in-house business unit with approx half the operating budget of the Council, and as a priority matter for Aucklanders and not a profit making enterprise. Elected representatives must be accountable for all decisions including transport.

Linda Kaiou (071)

Prefer a department within the Auckland Council. Prefer to see land use and transport planning and delivery managed by the same organisation as the two issues are strongly related. Urban design is also strongly related to transport. (3) means the Auckland Council will have little power to direct the activities of Auckland Transport.

Lucy Hawcroft (555)

Transport Agency must be under the control of elected representatives.

Luis Lachica (723)

There needs to be a legal obligation for all CCOs and Business Units to be accountable and transparent. No CCOs should have any jurisdiction over services on Waiheke Island unless this involvement is of regional significance.

Millie Watkins (086)

CCOs should be appointed and organised by elected councillors.

Noreen Prudence Giles (094)

Suggested recommendations include: clarification on what Auckland Transport and the Auckland Council will be responsible for; amending the objectives and operating principles of Auckland Transport; accountability; and land use integration. For further detail please refer to the original submission

North Shore City Council (200)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland’s state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

Fully integrated transport should be maintained under the full control of the Auckland Council; Council should own and manage all the relevant assets.
Pamela Gill (523)
We prefer Cabinet Paper Option 5 for Transport CCO.

Peter Atkinson The Employers and Manufacturers Association (Northern) (551)
Auckland Transport should be part of the Auckland Council rather than a council-controlled organisation.

Prue Elvidge (1207)
Concerned that the linkages between the planning or the proposed Auckland Transport CCO and the Auckland Council are too weak. Concerned that Auckland Transport's meetings are not open to the public, with the exception of when Auckland Transport is making a bylaw. Concerned that the Auckland Council has no ability to change the Auckland Transport's organisational form, e.g. revoking its CCO status to bring operations in-house. Recommended that Auckland Transport be treated as any other CCO, with the exception that the NZTA should be able to appoint one non-voting member and the Auckland Council appoint two full members, to the governance of Auckland Transport.

Rodney District Council (976)
There should be no Auckland Transport CCO because they are undemocratic, have insufficient explicit legislative control mechanisms or boundaries to be trusted to serve the needs and desires of the population of Auckland Region and should be repealed. Auckland Transport should be an internal and dependent committee or department of an Auckland Regional Council, which is maintained in public ownership and control.

Ross Williams (532)
Part 4 - Transport management for Auckland, should be deleted in its entirety and transport be included as another function of Auckland Council and the Local boards.

The Campaign for Better Transport Inc (132)
Opposes the establishment of a CCO for transport. However, in the advanced circumstances, the Council considers that an early review of the arrangements be required by the Auckland Council.

Waitakere City Council (194)
Keyword: 39 Objective of Auckland Transport
Auckland Transport's objectives should include contributing to the economic, environmental, cultural, and social wellbeing of Auckland.

Alastair Jamieson (143)
Strongly recommends that the objective of Auckland Transport be amended to reinforce its role "to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive, and efficient land transport system and which gives effect to the strategic objectives of the Auckland Council as set out in the Spatial Plan and supporting RLTS and other relevant documents". The prescribed Auckland Transport operating principles need streamlining to remove duplication and other inefficiencies. The Bill needs clarifying to make clear the respective transport role of Auckland Council and Auckland Transport. The Bill should clearly state Auckland Transport's role and responsibility to prepare the RLTP to give effect to the RLTS which Auckland Council prepares; and to clearly set out a requirement that the transport programme established by Auckland Transport and approved by Council contributes to achieving the Auckland Council's and Governments high level outcomes set out in the Auckland Spatial Plan.

Auckland Chamber of Commerce (175)
Auckland Regional Council proposes that a transport agency to be established the Bill must be amended to provide for accountability arrangements consistent with those for Crown agents. The transport agency should
act in accordance with its Statement of Intent, should give effect to regional land transport strategy and its board should be accountable to the Auckland Council.

The Auckland Regional Council recommends that the Bill is amended to provide for Auckland Council to direct the transport agency to give effect to a policy of the Auckland Council that relates to the transport agency. The transport agency should seek Auckland Council approval before entering into transactions related to the establishment or disposal of assets.

Auckland Regional Council (916)

Add "which promotes the social, economic, environmental, and cultural wellbeing of communities, in the present and for the future", or that sections 8(2) and (3) of the Local Government (Auckland Amendment) Act 2004 with appropriate modifications be included in clause 39.

Eriata Peri Auckland Public Health Service (185)

Proposes new objective "the objective of Auckland Transport is to undertake its functions in a way that contributes to the effective and sustainable integration of land use and transport, and including an affordable, safe, responsive and sustainable transport system for the Auckland region."

That the statutory objectives of the Auckland Regional Transport Authority be included in the Objectives for Auckland Transport.

Forum for Auckland Sustainable Transport (292)

Majority of Auckland Transport board members should be elected councillors.

Guy Bibby (077)

The clause should be called Objectives of Auckland Transport (plural).

The integration of transport and land use should be included in the objectives list.

IPENZ Transportation Group (900)

Auckland Transport's Objectives, Functions and Operating Principles should include giving effect Auckland's strategic intent ie the Auckland (spatial) Plan, and the Council's strategy, plans and priorities (see wording of clause 75(2)(c). Auckland Transport's Objectives, Functions and Operating Principles should be amended to reflect the broader social and economic objectives of effective transport systems.

Kaaren Goodall Committee for Auckland (265)

Auckland Transport's activities need to support the overall vision and strategic direction of the Auckland Council, the Bill does not adequately provide for this. Suggests including as an objective "be consistent with the Spatial Plan".

The Bill does not adequately define Auckland Transport's objectives, especially in terms of sustainability, and do not provide sufficient guidance for the CCO. Suggests retaining the objectives contained in the Local Government (Auckland) Amendment Act 2004.

Lorraine Stone (083)

Transport Agency must be under the control of elected representatives.

Luis Lachica (723)

Amend the objective to explicitly include an objective to contribute to Council's wider objectives and priorities for Auckland.

Manukau City Council (957)
Integration of land use and transport is basic and needs to be included in the objectives list.

Mark Bracey Cycle Action Auckland (280)

Submitter recommends that the objective of Auckland Transport be strengthened to support the needs for effective integration between the activities of Auckland Transport and Auckland Council's Spatial Planning, strategic and policy objectives. Refer to submission for full detail.

New Zealand Council for Infrastructure Development (949)

Suggested recommendations include: clarification on what Auckland Transport and the Auckland Council will be responsible for; amending the objectives and operating principles of Auckland Transport; accountability; and land use integration. For further detail please refer to the original submission.

North Shore City Council (200)

Auckland Transport should be part of the Auckland Council rather than a council-controlled organisation.

Prue Elvidge (1207)

S39 "Energy efficient, people friendly, efficient and appropriate land use, contributing to good urban design and minimally polluting" should be added to the objectives of Auckland Transport. Auckland Transport should also be obliged to contribute to the economic, environmental, cultural and social wellbeing of Auckland.

Tamaki Community Board (195)

Vital to amend the definition of the Auckland Transport System to take out of the definition things that should be done instead by the Council or by local boards, e.g. footpaths, berms, etc. S39 - "Energy efficient, people friendly, efficient and appropriate land use, contributing to good urban design and minimally polluting" should be added to the objectives of Auckland Transport. It should also be obligated legislatively to contribute to the economic, environmental, cultural and social wellbeing of Auckland.

The Labour Local Government Sector Council (958)

Tony Siu (736)

Clause 39 should be rewritten as follows: "The objective of Auckland Transport is to undertake its functions in a way that contributes to the effective and sustainable integration of land use and transport, and including an affordable, safe, responsive, and sustainable transport system for the Auckland region". Auckland Transport should be required to give effect to the Regional Land Transport Strategy. Recommends that wider principles be included in the objectives for Auckland Transport, so as to ensure it takes a broad strategic view of its role in Auckland and engages with Auckland communities.

Living Streets Auckland (875)

Clause 39 should be rewritten as follows: "The objective of Auckland Transport is to undertake its functions in a way that contributes to the effective and sustainable integration of land use and transport, and including an affordable, safe, responsive, and sustainable transport system for the Auckland region". Auckland Transport should be required to give effect to the Regional land Transport Strategy. Recommends that wider principles be included the objectives for Auckland Transport, so as to ensure it takes a broad strategic view of its role in Auckland and engages with Auckland communities.

Walk Auckland Inc (861)

Policy should be determined by the Auckland Council. Top level planning and design should be carried out by Auckland Transport, with detail-level execution and administration undertaken by the Auckland Council. Local 'place setting' decisions should be made by Local boards. Auckland Transport should be required to consult Local boards on their area. "Efficiency" should be included in the objectives of Auckland Transport. Auckland Transport should not have a right to make bylaws, recommend that this should only be the Auckland Council.
Auckland Transport should have to exhibit social, environmental and economic responsibility.

Western Bays Community Board (193)
That Auckland Transport not be allowed to make by-laws. That Auckland Transport be allowed to delegate local transport issues to local boards.

Western Bays Community Board (952)

**Keyword: 40 Status and powers of Auckland Transport**

The Auckland Council should be able to direct Auckland Transport. Auckland Transport having access to Auckland Council funds is undemocratic and open to abuse.

Councillor Brent Morrissey (229)

**Keyword: 41 Functions of Auckland Transport**

Local transport issues should be dealt with by local boards as part of their legislated duties.

Donna Wynd and David Benson (100)

Needs to give Auckland Council a significant role in the planning and management of the state highway and rail networks within Auckland.

Dr Alison Towns (320)

Auckland Transport should jointly manage all state highways and railways within Auckland. Lack of emphasis on public transport infrastructure planning.

Dr Paul Cullen (321)

Auckland Transport’s Objectives, Functions and Operating Principles should be amended to reflect the broader social and economic objectives of effective transport systems.

Kaaren Goodall Committee for Auckland (265)

Amend (e) so that it refers to transport related functions. Add another function to enable Auckland Transport to engage and work with Auckland Council (including providing advice) where appropriate to ensure integration between transport matters and council activities. Require Auckland Transport and the Auckland Council to cooperate where appropriate to ensure the successful delivery of transport and other council activities. Amend to make clear that Auckland Transport can undertake any functions delegated to it by the New Zealand Transport Agency. Amend to provide that Auckland Transport must consult and engage with local boards in regards to local matters that may be of interest to or affect local communities.

Auckland City Council (545)

Amend clause 41(p 47) to require the Auckland Transport Agency to prepare a RLTP which gives effect to the objectives of the Auckland Council as set out in the Spatial Plan and the Regional Land Transport Strategy.

Franklin District Council (509)

Submits that the purview of the Transport CCO is inappropriately broad and should not contain those functions of strong local interest and importance such as footpaths. Berms, street furniture, local safety upgrades, urban design aspects of roads and other non-road areas of the carriage way. This change would allow local boards to have control of an important area in which community boards currently exercise some power and communities legitimately feel they have input into. This change would require strong links of communication and consultation between the Transport CCO and all parts of council.

Maungakiekie Community Board (197)
Recommends amendment of this clause to set out ownership and control arrangements to provide for the consistent ownership transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets. Recommends Section 41(e) is removed.

New Zealand Council for Infrastructure Development (949)

Oppose (e) as it gives opportunities for delegation without any consultation with affected parties.

North Shore Town Centres Group (511)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland's state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

Delegations to determine local roading issues must come back to the local boards from Auckland Transport. Local boards must have a direct link and relationship with Auckland Transport.

Papatoetoe Community Board (199)

The brief of the Transport CCO is extremely broad and should not contain functions such as footpaths and street beautification, which cannot be provided on a commercial basis. At least these functions, if not all of the CCO should be provided by an in-house unit and not a CCO. Also do not think that there should be a maximum of two councillors on the board, elected officials should be accountable for the CCOs actions.

Princes Street Branch, New Zealand Labour Party (837)

The functions of Auckland Transport needs to include preparing the Auckland Regional Transport Programme on a basis consistent with the Regional Land Transport Plan and the Regional Passenger Transport Plan. Prioritisation needs to be the domain of Auckland Transport. The wording of this section should be extended to include “preparing and prioritisation of the programme, consistent with the Regional Transport Strategy and the Regional Passenger Transport Plan adopted by the Auckland Council". Auckland Transport has no secure ongoing revenue sources. Auckland Transport must be granted a reasonable degree of certainty over 3 year funding resources to meet the LTCCP objectives.

Rodney District Council (976)

**Keyword: 42 Functions and powers of Auckland Transport acting as local authority or other statutory body**

Should Auckland Transport have some of the powers of a local authority? Power to make bylaws should only be with the Auckland Council. Matters leading up to make the bylaw can deal with by CCOs.

Eriata Peri Auckland Public Health Service (185)

Auckland District Council of Social Services (907)

Auckland Council should have the power to direct Auckland Transport to do, or not do, certain things through a transparent process.

Forum for Auckland Sustainable Transport (292)

Referring to new section 42(3) “-For the purposes of subsection (1) (h), Auckland Transport may appoint persons to be enforcement officers in Auckland in relation to any offence against a by-law made by Auckland Transport in relation to the Auckland transport system”. Traffic enforcement must be left to Police.

Gayleen Mackereth (351)

Auckland Transport will be able to operate with unnecessary secrecy and with a lack of public oversight.
Auckland Transport should operate in an open and accountable way to the public and its stakeholders.

IPENZ Transportation Group (900)

Add a further paragraph to (1) to enable Auckland Transport to perform the functions and powers of a road controlling authority under any rules made pursuant to section 157(a), (e) or (f) of the Land Transport Act 1988. Amend (1)(c) so that Auckland Transport cannot exercise the powers under section 319(h), 336 and 342 of the Local Government Act 1974. In addition, an obligation should be imposed on the Auckland Council to consult with Auckland Transport before it exercises any of these powers. Omit (1) (i) so that the Auckland Council is responsible for bylaw making. Insert provisions equivalent to sections 24 to 28 of the Local Government (Auckland Council) Act to enable Auckland Transport to propose bylaws. An amendment to 47(2) would be required. If this is not possible amend (1) (i) to provide Auckland Transport has the functions and powers of a local authority to make and enforce bylaws for transport purposes.

Auckland City Council (545)

The Auckland Council should be the body solely responsible for making bylaws for the Auckland Region.

Franklin District Council (509)

Recommends amendment of this clause to set out ownership and control arrangements to provide for the consistent ownership transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets.

New Zealand Council for Infrastructure Development (949)

Suggested recommendations include: clarification on what Auckland Transport and the Auckland Council will be responsible for, amending the objectives and operating principles of Auckland Transport; accountability; and land use integration. For further detail please refer to the original submission.

North Shore City Council (200)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland’s state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

Some of the bylaw-making power may not be appropriate for Auckland Transport. There is no provision for this to be delegated to Local boards or the Auckland Council. Suggest a similar provision for Watercare involvement in bylaws ie Auckland Council has the bylaw making power but Auckland Transport can propose a bylaw and consult on it with the approval of the Council. If this is not agreed to, then require early consultation with the Auckland Council and/or Local boards where they are affected. (Wording suggested) Allow Auckland Transport to transfer its bylaw making power to the Auckland Council. (Wording suggested) Another alternative is a statutory requirement that the bylaw making power revert to the Auckland Council after five years. (Wording suggested)

Peter McKinlay Institute of Public Policy (368)

While nothing prevents a local board from proposing bylaws to Auckland Transport to Watercare there is also no provision to ensure that these CCOs give due consideration to such proposals. It will also be important to require the CCOs to publicly consider such requests and to state their reasons for passing or declining to pass these proposed bylaws.

Rodney District Council (976)

Opposed to Auckland Transport being able to make decisions in private with the Auckland Council unable to require public consultation.

Steve Peverley (624)
S42 delete the power of Auckland Transport to make bylaws. If the power is not deleted, the legislation should require the same special consultative procedure for making bylaws and other significant policies as is required of local authorities. The reference to tolling schemes should be deleted, as road tolling is an unfair and inefficient road funding mechanism.

Tamaki Community Board (195)

42 - Delete the power for Auckland Transport to make bylaws, should be made by Auckland Council. The reference to tolling schemes should be deleted, as road tolling is an unfair and inefficient road funding mechanism and should only be exercised by a Council not a CCO.

The Labour Local Government Sector Council (958)

Concerns that transport-specific bylaws will transfer to Auckland Transport. Auckland Transport should be required to publicly engage the community as part of its decision-making process.

Waiheke Community Board (894)

That Auckland Transport not be allowed to make by-laws. That Auckland Transport be allowed to delegate local transport issues to local boards.

Western Bays Community Board (952)

**Keyword: 43 Council prohibited from exercising powers and functions conferred on Auckland Transport under section 42**

This clause will allow unelected individuals to control transportation, utilities and any other CCOs. There should be elections for a person to oversee each organisation who can also be removed by popular vote.

Bill Leonard (043)

Giving autonomy to Auckland Transport undermines the intent of the reforms - to provide an integrated approach to decision making and the management of public infrastructure.

Chris Randell (044)

Should be subject to the democratic process, which would not happen under the CCO model. Transport should be run by Auckland Council as part of an in-house business unit with approx half the operating budget of the Council, and as a priority matter for Aucklanders and not a profit making enterprise. Elected representatives must be accountable for all decisions including transport.

Linda Kaiou (071)

This provision envisages a subsidiary delegating to its principal. How will accountability be enhanced if decisions about who does what and who pays are not made by the council?

Local Government New Zealand (543)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland’s state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

S43 should be deleted. The Auckland Council should retain the ultimate authority to resume powers initially conferred on Auckland Transport.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)
43 - Should be deleted. The Auckland Council should retain the ultimate authority to resume powers initially conferred on Auckland Transport.

The Labour Local Government Sector Council (958)

That Auckland Transport not be allowed to make by-laws. That Auckland Transport be allowed to delegate local transport issues to local boards.

Western Bays Community Board (952)

**Keyword: 44 Operating Principles**

Needs to be a robust process for decision-making with community consultation and accountability not provided in the current proposal.

Ben Burrows (213)

The Auckland Transport board should operate with transparency and accountability and be bound by the Local Government Official Information and Meetings Act 1987. Local boards should have a role in local roading issues, and should have a direct link and relationship with Auckland Transport.

Botany Community Board (950)

Support.

Chris Everitt (97656)

The intent of the operating principles is to provide some accountability in terms of social, environment and economic responsibility to the Directors.

Community Waitakere Charitable Trust (253)

Stronger links between the Auckland Council and Auckland Transport are necessary to ensure political accountability.

Dr Paul Cullen (321)

Clause 44 should be amended to include provision for Auckland Transport to establish and maintain processes for local boards to contribute to its decision-making processes. It is disappointing that under proposed clause 47 Auckland Transport can hold all of its meetings in secret, except when it considers bylaw matters. Auckland Transport's meetings should be held in public.

Eastern Bays Community Board (823)

Local boards should be delegated local decision making on transport. e.g. bus stops, loading zones, naming of streets, pedestrian crossings.

Henderson and New Lynn Community Boards. (166)

Proposes rewording the clause - "Auckland Transport should exhibit social, environmental and economic responsibility and....."

IPENZ Transportation Group (900)

Auckland Transport's Objectives, Functions and Operating Principles should include giving effect Auckland's strategic intent ie the Auckland (spatial) Plan, and the Council's strategy, plans and priorities (see wording of clause 75(2)(c). Auckland Transport's Objectives, Functions and Operating Principles should be amended to reflect the broader social and economic objectives of effective transport systems.

Kaaren Goodall Committee for Auckland (265)
Include obligations to good urban design outcomes for Auckland through adopting the NZ Urban Design Protocol.

Kaaren Goodall Committee for Auckland (265)

Add another operating principle to provide that in meeting its objective the board must give effect to the Auckland Council's strategic direction, including matters set out in the Spatial Plan.

Auckland City Council (545)

Not clear how to have a say in Transport.

Lawrence Carter (2544)

It is recommended that Section 44 be redrafted to provide operating principles setting out an explicit requirement on Auckland Transport to co-ordinate its activities between the Council, Auckland Transport, New Zealand Transport Authority and KiwiRail.

New Zealand Council for Infrastructure Development (949)

Suggested recommendations include: clarification on what Auckland Transport and the Auckland Council will be responsible for; amending the objectives and operating principles of Auckland Transport; accountability; and land use integration. For further detail please refer to the original submission.

North Shore City Council (200)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland's state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

These clauses takes away the responsibility of the CCOs to be accountable to ratepayers. These sections need clarification and should include full disclosure.

Onehunga Business Association (721)

Allow communities to engage on issues that affect them. Add: "(c) establish and maintain processes for the public and local boards to contribute to its decision making processes, including provision for public meetings with the Auckland Transport board"; and to involve Local boards make the following changes: "(d) Consult with local boards over local roading and public transport matters and take their views into account; and (e) to the greatest extent reasonably possible delegate decision making on the local component of roading and public transport matters to local boards.

Peter McKinlay Institute of Public Policy (368)

The functions of Auckland Transport need to include preparing the Auckland Regional Transport Programme on a basis consistent with the Regional Land Transport Plan and the Regional Passenger Transport Plan. The wording of this section should be extended to include "preparing and prioritisation of the programme, consistent with the Regional Transport Strategy and the Regional Passenger Transport Plan adopted by the Auckland Council".

Rodney District Council (976)

S44 the requirement to exhibit responsibility should have 'cultural' added to the other three wellbeings.

Tamaki Community Board (195)

44 - The requirement to exhibit responsibility should have "cultural" added to the other three wellbeings.
A clause should be added to the Operating Principles to ensure that hand in hand with a sense of social responsibility must come investment to ensure that this has the capacity to be acted upon. Proposes addition of: "44(c) (iii) operate in a financially prudent manner that provides investment for socially responsible action e.g. free use of transport by schools undertaking Education Outside the Classroom, visits to pools, museums and the like."

Watersafe Auckland Inc (865)

**Keyword: 45 Governing body of Auckland Transport**

This clause transfers effective control of transport-related powers and functions from elected councillors to unelected Ministerial appointees. This means directors can be voted in who have vested interest on transport related business, therefore prioritising developments that favour pocket rather than community.

Alistair Gillies (147)

Elected councillors should be able to be members of Auckland Transport to ensure the public are in control of Auckland Transport.

Andrew Miller (018)

Objects to semi privatised CCOs with minimal oversight by elected officials and not providing full transparency on their business and practices.

Andrew Watkins (040)

The Auckland Regional Council recommends that the Bill is amended to remove the requirement for the appointment of a non-voting director nominated by the New Zealand Transport Authority to the board of the transport agency.

Auckland Regional Council (916)

Auckland Regional Transport Authority (ARTA) (186)

The new CCO, "Auckland Transport", will have between 6 and 8 voting directors, but only 2 of them can be elected members of the Auckland Council. This transfers effective control of transport related powers and functions from elected councillors to unelected Ministerial appointees. Elected councillors will be prohibited from being directors of all other CCOs, again transferring effective control of vast areas of Auckland's governance from elected councillors to unelected Ministerial appointees.

Auckland Women's Centre (184)

Opposed.

Audrey van Ryn (151)

At least 6 of the 8 Auckland Transport directors must be elected Councillors.

Barbara Lucy Baragwanath (216)

Having the powers and functions of local authority require that voting members of the Board be democratically elected. The political nature of transport e.g. public transport/road building balance requires elected members. 45(2)(a) the Board should be two elected members of the governing body of the Auckland Council plus half a dozen members separately elected on a regional basis from areas of Auckland. 45(4) Ensure that the activities of Auckland Transport are integrated with other aspects of Auckland Governance.

Bera MacClement (218)
This clause will allow unelected individuals to control transportation, utilities and any other CCOs. There should be elections for a person to oversee each organisation who can also be removed by popular vote.

Bill Leonard (043)

As the Auckland Transport Agency will not be run by elected officials it is not under pressure to deliver results for ratepayers. The Auckland Transport Agency should be linked to the Auckland Council in a manner similar to the Auckland Regional Transport Authority’s relationship with the Auckland Regional Council.

Brent Cryer (023)

Oppose and support a majority Auckland transport Board members elected councillors.

Bryan Parris (220)

The Campaign would prefer to see the ATA act in a ‘caretaker’ role in the establishment of CCOs, leaving the elected members of the Auckland Council to fill the board positions. Any organisation running Auckland Transport should be run transparently and in a not-for-profit way as transport enables and facilitates people in their working life. The Transport Agency should be run as an in-house business unit by the Auckland Council. Elected representatives must be held accountable for transport decisions.

Campaign for Fair Ferry Fares (235)

A majority of board members should be elected councillors.

Chris Everitt (97656)

There should be three elected Council representatives on the Auckland Transport Board.

Community Waitakere Charitable Trust (253)

Opposed. Allows unelected appointees to run transport functions.

Daniel Findon and Catherine Murray (259)

A majority of the Auckland Transport Board must be elected councillors.

Danielle Romanes (266)

The larger majority of Auckland Transport board members must be elected councillors.

Dave Breur (268)

Majority of Auckland Transport board members should be elected councillors of the Auckland Council. Elected Councillors should be allowed to be directors of council-controlled organisations.

David Spencer Trapp (026)

This transfers effective control of transport-related powers and functions from elected councillors to unelected Ministerial appointees.

Devonport Community Board (824)

At least 6 of the 8 Auckland Transport directors must be elected councillors.

Donna Wynd and David Benson (100)

The majority of Auckland Transport board members should be elected councillors.
Dorte Wray (260)

All Transport board members must be elected councillors.

Dr Alison Towns (320)

Members of Auckland Transport should be elected councillors, not unelected officials.

Dr M Dale (902)

As transport is publicly subsidised councillors should be on the board of Auckland Transport to ensure decision-making remains in the public domain.

Dr Rosemary Hope Lovell-Smith (106)

The majority of Auckland Transport board members should be elected councillors.

Drama Magic Ltd (019)

Oppose section 45 - the current Auckland Councils, rather than the Minister of Transport, should appoint any initial members of a board for Auckland Transport.

Eden Albert Community Board (162)

The majority of Auckland Transport board members should be elected councillors.

Elizabeth Jane Worley (283)

Bill should be amended so that the council and local boards are identified as partners in the usage, design and maintenance of roads to remove the Transport Agency’s sole responsibility for roads. Unelected appointees should not control Council assets.

Fiona Johnston (978)

Up to four Board members should be Auckland councillors, with the Council to appoint the chair and deputy chair.

Forum for Auckland Sustainable Transport (292)

Elected councillors should be able to appoint directors of Auckland Transport. Mana whenua representatives should be elected by local iwi. Mana whenua representatives should sit on Auckland Council and have right to speak on any issue that affects the tangata whenua. The Auckland Council should be obliged to follow their recommendations.

Genevieve Utting (060)

There are many councillors with commercial experience and, as councillors, will know their city and be able to advise on any proposal that may have potential adverse effects.

Gerard Hill (802)

Majority of Auckland Transport board members should be elected councillors.

Guy Bibby (077)

Support the majority of CCO board members being elected councillors.

Harry Russell Haley (115)

The current Auckland councils should appoint the directors.
Hilltrud Grueger Springleigh Residents Association (542)

The majority of board members of Auckland Transport and other CCO should be elected councillors.

Ian A Gould (066)

Effective control is transferred from elected councillors to unelected Ministerial appointees.

Individual Five (552)

Proposes that KiwiRail provide one non-voting director to the board of Auckland Transport to reflect the importance of freight and passenger rail movement to the city.

Current local and regional Councils should be consulted on the interim directors to ensure local input into the crucial planning phase of Auckland Transport.

Each local and regional Council to be effected by the change process should be allowed to appoint one non-voting director for the interim period to improve accountability of the board.

IPENZ Transportation Group (900)

Jane Gilmour (062)

The provision prohibiting councillors from being directors of CCOs must be struck out. These are the elected representatives of Auckland's citizens and must be allowed to perform whatever functions citizens determine. The Transport Agency must be under the control of the elected representatives of Auckland's citizens who would be accountable for decisions that they make.

Jeffery Ronald Saunders (370)

Operating key services through non-accountable CCOs will suffocate healthy outcomes and reduce community resilience.

Jerome Nicholas Partington (068)

Councillors should be able to sit on the boards of CCOs.

John N. Sloane (808)

Transfers effective control of transport-related powers and functions from elected councillors to unelected Ministerial appointees.

Jon Carapiet (879)

Insert in (3) "with the Mayor's consent".

Kaaren Goodall Committee for Auckland (265)

Current Auckland Councils should appoint the members rather than the Minster of Transport. All members must be elected councillors. Failure to integrate road and rail management and operation.

Karen Brown (7674)

Omit (2) (a) and (3) and clause 1(2) in Schedule 2 so that it is left to the Auckland Council to determines such matters in the directors policy. Amend section 35I so no director can serve an initial term greater than two years. Amend (2) (b) to provide that the person appointed by the New Zealand Transport Agency must be a director of the Agency.

Auckland City Council (545)
At least five board members should be elected councillors.

Directors of Auckland CCOs should be on the Auckland electoral roll.

Kim Walker (908)

Transport Agency must be under the control of elected representatives.

Luis Lachica (723)

Supports a majority of Auckland Transport board members being elected councillors. Supports both elected and mana whenua appointed voting representatives on the Auckland Council. Supports a majority of CCO board members being elected councillors.

Levent Okyay (011)

Should be subject to the democratic process, which would not happen under the CCO model. Transport should be run by Auckland Council as part of an in-house business unit with approx half the operating budget of the Council and as a priority matter for Aucklanders and not a profit making enterprise. Elected representatives must be accountable for all decisions including transport.

Linda Kaiou (071)

Elected councillors should be a majority of directors. Board of directors should reflect the five key objectives of the New Zealand Land Transport Strategy e.g. a Director representing disability issues, a Director with expertise in environmental sustainability.

Lucy Hawcroft (555)

Transport Agency must be under the control of elected representatives.

Luis Lachica (723)

Remove clause - the Auckland Council should determine the appointment process.

Manukau City Council (957)

Important that the interim board, or individual members of it, are able to be replaced directly after the local body elections in 2010, if and when the new Council so desires. Government needs to consult with the elected representatives of Auckland to ensure that the personages of the interim board are acceptable. Include a non voting director from KiwiRail.

Mark Bracey Cycle Action Auckland (280)

Clause 45 restricts the ability for the public to be adequately represented through their elected members. Recommend that a minimum of 3 elected Council representatives be able to sit on the Auckland transport Board in order that the input of residents is represented.

Massey Matters (814)

Recommends that consideration be given to amending Section 45 to incorporate the principles of section 57 of the Local Government Act 2002. Recommends that the provision for a non-voting director nominated by New Zealand Transport Authority be removed - or the director have voting rights. The provision for up to two Council Councillors appointees be removed as the establishment of clear accountability, oversight and performance reporting would ensure control over the CCOs would be more effective than through statutory prescription and control through the appointment of specified board members.

New Zealand Council for Infrastructure Development (949)

Board members of council-controlled organisations should be appointed by elected councillors.
Suggested recommendations include: clarification on what Auckland Transport and the Auckland Council will be responsible for; amending the objectives and operating principles of Auckland Transport; accountability; and land use integration. For further detail please refer to the original submission.

North Shore City Council (200)

Majority of Auckland Transport Board members should be Councillors.

Northern Amalgamated Workers Union (934)

Auckland transport functions must be controlled by elected councillors. The Bill fails to integrate the management and operation of Auckland's state highways, railways and local roads. Auckland Council needs a greater role in the planning and management of transport infrastructure.

NorthWestern Community Association (936)

Majority of directors should be elected by the citizens of Auckland.

Peta Joyce (526)

(45) The majority of Auckland Transport Board members to be elected councillors. (Part 7) Both elected members and voting representatives are appointed by mana whenua on the Auckland Council.

Peter Friedlander (104)

Elected members preferred.

Peter McCurdy (530)

To provide clear accountability the chair (and possibly the deputy) should be appointed by the Auckland Council with the approval of the Minister of Transport. If elected, the chair will be confused between working in the interests of the organisation they are accountable to or those who elected him/her.

Peter McKinlay Institute of Public Policy (368)

Auckland Council, rather than the Minister of Transport, should appoint initial members of the Auckland Transport Board.

Phil Chase (718)

A majority of Auckland Transport members should be elected councillors. The majority of CCO board members should be elected councillors.

Philip Jones (015)

Should be an in-house business unit of the Auckland Council and the elected representatives be held accountable for transport decisions.

Pippa Coom Grey Lynn 2030 (293)

The brief of the Transport CCO is extremely broad and should not contain functions such as footpaths and street beautification, which cannot be provided on a commercial basis. At least these functions, if not all of the CCO should be provided by an in-house unit and not a CCO. Also do not think that there should be a maximum of two councillors on the board, elected officials should be accountable for the CCOs actions.

Princes Street Branch, New Zealand Labour Party (837)

Double to at least four to give Council 50 per cent representation on the Board.
Concerned that the linkages between the planning or the proposed Auckland Transport CCO and the Auckland Council are too weak. Concerned that Auckland Transport's meetings are not open to the public, with the exception of when Auckland Transport is making a bylaw. Concerned that the Auckland Council has no ability to change the Auckland Transport's organisational form, e.g. revoking its CCO status to bring operations in-house. Recommended that Auckland Transport be treated as any other CCO, with the exception that the NZTA should be able to appoint one non-voting member and the Auckland Council appoint two full members, to the governance of Auckland Transport.

Rodney District Council (976)

(2)(a), allowing the Council to appoint directors (presumably councillors) is contradicted by new section 76 which prohibits the appointment of councillors a directors.

Ross Williams (532)

Majority of members should be elected councillors.

Simon Griffths (539)

A majority of CCO board members should be elected councillors.

Steve Marshall (844)

The majority of Auckland Transport board members should be elected councillors, otherwise transport related powers and functions will sit with un-elected appointees.

Steve Roigard (016)

The new CCO 'Auckland Transport' will have between 6 and 8 voting directors, but only 2 of them can be elected members of the Auckland Council. This transfers effective control of transport-related powers and functions from elected councillors to unelected Ministerial appointees.

Su Yin Khoo (845)

In every case a majority of CCO board members should be elected councillors.

Susan Potter (847)

S45 should be amended to provide that the majority of members are Auckland Councillors and it should not limit the number of voting members.

Tamaki Community Board (195)

45 - should be amended to provided that the majority of members are Auckland Councillors and also not limit the number of voting members.

The Labour Local Government Sector Council (958)

Propose to reverse the numbers, with two appointees with specific expertise in transport and the remainder as elected councillors. Majority of directors of CCOs must be elected.

Tracey Ann MacLeod (126)

Members of Auckland Transport should be elected councillors, not unelected officials who are not answerable to anyone. There needs to be provision for public attendance at CCO meetings, and provision for the public to make submissions on local issues, ie. transport planning.

Val Wynd (854)
This appears to abrogate control of transport related powers and function within the region from elected councillors to unelected appointees.

William Garden (131)

Supports a majority of Auckland Transport members being elected councillors.

Yvonne Matheson (547)

**Keyword: 46 Restriction on Borrowing**

The Bill should be amended to require the transport agency to seek approval from the Auckland Council before it enters into transaction which relate to the establishment or disposal of subsidiaries, securities, borrowing, guarantees, indemnities etc and individual and related transactions that have the potential to create unbudgeted liabilities or commitments for the Auckland Council.

Auckland Regional Council (916)

Recommends Section 46 is removed.

New Zealand Council for Infrastructure Development (949)

**Keyword: 47 Application of certain Acts to Auckland Transport**

Section 47 should be amended so that the Local Government Official Information and Meetings Act 1987 applies to all aspects of Auckland Transport decision making.

Alastair Jamieson (143)

Auckland District Council of Social Services (907)

Add a requirement that Auckland Transport must hold require public forums throughout the Auckland region.

Auckland City Council (545)

Auckland Regional Council recommends that this section is amended to require the application of Part 7 of the Local Government Official Information and Meetings Act 1987 to all of the business to be conducted by the transport agency.

Auckland Regional Council (916)

Auckland Transport should be subject to LGOIMA.

Eriata Peri Auckland Public Health Service (185)

Auckland Transport should be required to comply with the Local Government Information and Meetings Act 1987, the Ombudsmen Act 1975 and section 74 of the Local Government Act 2002. The current Auckland Councils should nominate and then appoint the first directors of Auckland Transport.

Forum for Auckland Sustainable Transport (292)

Apply LGOIMA to Auckland Transport.

Local Government New Zealand (543)

Oppose.

Lucy Hawcroft (555)

Transport Agency must be under the control of elected representatives.
Luis Lachica (723)
Auckland Transport should be bound by LGOIMA.

Papatoetoe Community Board (199)

Peter McKinlay Institute of Public Policy (368)
LGOIMA should apply to Auckland Transport and all the other CCOs.

Pippa Coom Grey Lynn 2030 (293)

Keyword: 48 Schedule 2 applies to Auckland Transport

Unanimous written resolutions could reduce the quality and transparency of decision-making if there is limited opportunity for oral debate by the Board. Limit the number of vacancies on the Board so a Board of one does not result. Incorporate a mechanism to resolve delegation disagreements between the Auckland Council and Auckland Transport.

Eriata Peri Auckland Public Health Service (185)
Part 5 Water supply and Wastewater Services for Auckland

Keywords: 49 Obligations on Auckland water organisations

Objects to semi privatised CCOs with minimal oversight by elected officials and not providing full transparency on their business and practices.

Andrew Watkins (040)

Strongly support Watercare having a robust business plan and SOI that provides for a pricing structure that is competitive but at the same time enables retention of sufficient funding for long-term maintenance, upgrade and capital improvements. The Bill should encourage this outcome and clause 49 may need clarification in this regard.

Auckland Chamber of Commerce (175)

The Bill imposes an undue corporate model on public assets and provides for their eventual sale.

Beatnik Publishing (051)

Additional clause 49(1) (b) to read "with consideration for child safety and the prevention of drowning". Include a statement that water services are to be provided and maintained with regard to public safety and the prevention of drowning.

Child Safety Foundation New Zealand (241)

Watercare needs to have broader goals than "efficiency". Clause should be amended to include "democratic accountability" as a goal for Watercare Services.

Clark Thomborson (248)

Strongly opposed to creation of Watercare CCO and it must be retained in public ownership and control.

Denise Roche (263)

Proposes that stormwater management be the responsibility of Watercare Services. The division of responsibilities for the management of culverts, sumps and sump leads be defined between the Auckland Council and Auckland Transport.

IPENZ Engineers New Zealand (367)

Administration of water services and rail has been getting better; the imposition of new CCOs could result in appointment of inexperienced management.

Jacqueline Amoamo (076)

Operating key services through non-accountable CCOs will suffocate healthy outcomes and reduce community resilience.

Jerome Nicholas Partington (068)

Unable to find any reference to stormwater and control and responsibilities for planning and control of this component of the "three waters" which will be invested in Watercare.

John Shears (608)

The statutory obligation to charge minimum prices should be removed. Watercare should charge for water and wastewater services on efficient pricing principles. Under-pricing of services leads to over-consumption and waste. The prohibition on the payment of a dividend by Watercare should be removed. Dividend policy
should be a matter for the board of Watercare and the Auckland Council. The Auckland Council should not be
allowed to guarantee the borrowings of Watercare or provide loans on non-commercial terms (that is, section
62 of the Local Government Act 2002 should apply from 1 November 2010 to any new borrowing by
Watercare).

Local Government Forum (877)

Recommends that a cautionary approach is taken in examining s49 (1) (b) and 49(2) as the legal and
practical implications may effect value for money and improved efficiency.

New Zealand Council for Infrastructure Development (949)

Suggested recommendations include: water organisation to comply with policies and directions of the
Auckland Council; requirement to maintain minimum prices; water organisations rated on the same basis as
other utilities; Watercare should be similar to other CCOs. For further detail please refer to the original
submission.

North Shore City Council (200)

Opposed to handing over all water and associated services to Watercare.

Simon and Frances Breeze (625)

There should be full Auditor-General reviews of Council and CCO performance. Water and transport are core
services and should be incorporated into Auckland Council. There needs to be more ratepayer oversight and
involvement in CCOs.

Stephen Moore (124)

The lack of a statutory framework around Watercare Services and water supply and wastewater services is
disappointing. A complete review and restatement of the statutory purpose and obligations is required, which
provides for the protection of public interest and the controlling interests of Auckland Council. The restatement
should ensure that social, environmental, cultural and wider economic benefits are assured as well as the
present focus in the Bill on supply charge minimisation and asset protection. Amendments to section 49 are
suggested. Clause 49 should be amended to provide for a proposal to authorise Watercare to set aside a
small proportion of their revenue for the restoration of damage done to cultural wellbeing. The fund would be
distributed from time-to-time to assist affected mana whenua organisations to re-establish effective cultural
services in or near affected places. A proposed amendment has been provided.

Waitakere City Council (194)

**Keyword: 50 Auckland water organisations may propose bylaw**

Amend (1) to provide that water organisations can also propose bylaws about water for fire fighting purposes
and trade waste.

Auckland City Council (545)

**Keyword: 51 Auckland water organisation must consult on proposed bylaw**

Section 51 needs to be expanded to clarify the nature of the procedure to be followed by the governing body.

Dr Kenneth Palmer (047)

Suggested recommendations include: water organisation to comply with policies and directions of the
Auckland Council; requirement to maintain minimum prices; water organisations rated on the same basis as
other utilities; Watercare should be similar to other CCOs. For further detail please refer to the original
submission.

North Shore City Council (200)
S51 should be undertaken entirely by the Auckland Council for democratic accountability and transparency.

Tamaki Community Board (195)

51 - bylaws should be undertaken entirely by the Auckland Council for democratic accountability and transparency.

The Labour Local Government Sector Council (958)

**Keyword: 52 Auckland water organisation may occupy certain Crown land without charge**

No submissions were received on this new section.

**Keyword: 53 Construction of works on private land and roads by Auckland water organisations**

The Bill should be amended to provide that it and the Local Government (Auckland Council) Act and the Local Government (Tamaki Makaurau Reorganisation) Act are all subject to the provisions of the Electricity Act, the Gas Act, the Telecommunications Act, the Infrastructure Bill (as eventually enacted) and subsequent amendments to these acts.

Bob Lack Counties Power Ltd (249)

Omit sections 53 to 59. Watercare should not be given special powers that are not also given to other utility operators. If these provisions are retained they should be consistent with the time periods in the Infrastructure Bill and relevant Code of Practice.

Auckland City Council (545)

Recommends the term "gas" is replaced with "wastewater services". For further detail please refer to original submission.

Powerco Limited (720)

Suggests that the Clause 53 (3) be amended to require that the water organisation operates within the provisions of the national code of practice for utilities working in the roads as specified in the Utilities Access Bill.

The New Zealand Water and Wastes Association (127)

**Keyword: 54 Notice requirement**

Proposes that notification provisions in the Bill be consistent with those in the Infrastructure Bill.

IPENZ Engineers New Zealand (367)

The clause 54 notice provisions are inconsistent with those of the Code and the scheme of the Infrastructure Bill where all parties using the road are to be kept informed of upcoming works. Further, the water organisation should not be able to open the road and alter the position of other's gas or water pipes as provided in clause 53. Vector recommends that clauses 53 and 54 are rewritten to conform to the intent and content of the Infrastructure Bill and the Code which it provides for. In particular, the Bill should not provide the water organisation with any greater or lesser powers than that provided for through the Infrastructure Bill and its supporting Code.

Vector Limited (889)

**Keyword: 55 Auckland water organisation to be notified of conditions**

The Bill should be amended to provide that it and the Local Government (Auckland Council) Act and the Local Government (Tamaki Makaurau Reorganisation) Act are all subject to the provisions of the Electricity Act, the
Gas Act, the Telecommunications Act, the Infrastructure Bill (as eventually enacted) and subsequent amendments to these acts.

Bob Lack Counties Power Ltd (249)

Proposes that notification provisions in the Bill be consistent with those in the Infrastructure Bill.

IPENZ Engineers New Zealand (367)

Suggested recommendations include: water organisation to comply with policies and directions of the Auckland Council; requirement to maintain minimum prices; water organisations rated on the same basis as other utilities; Watercare should be similar to other CCOs. For further detail please refer to the original submission.

North Shore City Council (200)

**Keyword: 56 Failure to notify conditions**

Proposes that notification provisions in the Bill be consistent with those in the Infrastructure Bill.

IPENZ Engineers New Zealand (367)

**Keyword: 57 Urgency**

No submissions were received on this new section.

**Keyword: 58 Offence to not comply with any of sections 53, 54, and 57**

No submissions were received on this new section.

**Keyword: 59 Appeals by Auckland water organisation to District Court**

The possibility of a CCO taking its owner to Court will do nothing to inspire public confidence in the good governance of the city.

Local Government New Zealand (543)

**Keyword: 60 Abatement of nuisances created by Auckland water organisations**

Clarify the relationship with the similar nuisance provisions in the Health Act and which one prevails.

Eriata Peri Auckland Public Health Service (185)

**Keyword: 61 Rating of certain land owned by Auckland water organisations**

Auckland Regional Council supports proposed section 61 which states the assets owned and used by an Auckland water organisation for providing water and wastewater services in Auckland are rateable based only on their land value.

Auckland Regional Council (916)

Omit as this represents a subsidy from general ratepayers.

Auckland City Council (545)

Watercare and other Auckland organisations should pay rates on the same basis as other ratepayers. Local Government Forum (877)

Suggested recommendations include: water organisation to comply with policies and directions of the Auckland Council; requirement to maintain minimum prices; water organisations rated on the same basis as
other utilities; Watercare should be similar to other CCOs. For further detail please refer to the original submission.

**North Shore City Council (200)**

Section 61 should be removed. All ratepayers including utilities should be rated on an equal basis.

**Rodney District Council (976)**

Section 61 water organisations should pay the same capital value-based rates as every other ratepayer.

**Tamaki Community Board (195)**

Section 61 - should be amended and water organisations should pay the same capital value-based rates as every other ratepayer.

**The Labour Local Government Sector Council (958)**

**Keyword: 62 Powers of Auckland water organisation under Local Government Act 1974**

Include provision that the powers in section 468 of the Local Government Act 1974 and the obligations in section 647 and 648 of that Act apply to an Auckland water organisation. Omit (d) and (e) so that the powers relating to private drains in section 461 and 462 of the Local Government Act 1974 sit with the Auckland Council.

**Auckland City Council (545)**

Suggested recommendations include: water organisation to comply with policies and directions of the Auckland Council; requirement to maintain minimum prices; water organisations rated on the same basis as other utilities; Watercare should be similar to other CCOs. For further detail please refer to the original submission.

**Keyword: 63 Powers of Auckland water organisation under Local Government Act 2002**

No submissions were received on this new section.

**Keyword: 64 Offences relating to waterworks and network of assets of Auckland water organisations**

No submissions were received on this new section.

**Keyword: 65 Council must consult Auckland water organisations when assessing water and other sanitary services**

No submissions were received on this new section.
Part 6 Spatial Planning for Auckland

Keyword: 66 Spatial Plan for Auckland

Spatial Plan needs to give consideration to the Waitakere Ranges Heritage Area Act 2008.

A R Barnes - Protect Piha Heritage Society Inc.  (1206)

Spatial Plan must include the Waitakere Ranges Heritage Act.

A Young (742)

Spatial Planning needs to include provisions for ensuring sustainable development. Clause needs to be extended to provide for the protection and enhancement of ecological areas, ecosystems, and recreational spaces. Council-controlled organisations must be required to implement Spatial Plan.

Alastair Jamieson (143)

The Spatial Plan also has to have regard to the Waitakere Ranges Heritage Area Act and must not contradict its purpose and objectives.

Anna Maria Fomison and Max Pirini (153)

It is important that any Spatial Plan by the Auckland Council includes the protection of the Waitakere Ranges through inclusion of the Waitakere Ranges Heritage Area Act.

Anne Ronaldson (155)

Endorse need for Spatial Planning especially to overcome the current great waste of planning resources and poor outcomes due to uncoordinated planning an consequent legal process inefficiency. Desire a separate Spatial Plan for the Gulf Islands.

Anu Grace (160)

Supports the requirement to develop a Spatial Plan for Auckland as broadly defined in the Bill. This will ensure an integrated and cohesive approach to strategy, planning and funding arts and culture across the Auckland Councils’ governing body, local boards and its CCOs. Recommends that a regional arts and culture strategy be included as part of the Spatial Plan for Auckland.

Arts Council of New Zealand Toi Aotearoa (Creative New Zealand) (156)

Recommend that the parameters of the Spatial Plan are expanded on in the text of the Bill to include other significant infrastructure including arts and cultural infrastructure, alongside that of transport, environmental management, housing and land use.

Arts in the City Working Group (172)

Arts Regional Trust Te Taumata Toi-a-iwi (173)

For the Spatial Plan to achieve its purpose, it should include both a regional recreation and sports strategy and a regional arts strategy. The Trust would be supportive of the broadening of the Spatial Plan focus from economic growth and development to include both social and environmental outcomes.

ASB Community Trust (174)

Recommends the following changes to this section of the Bill:

- Provide for a firm timeline for when Auckland Council must have prepared and adopted a Spatial Plan;
Recommend a clause be added to require an inaugural draft Spatial Plan to be completed by the end of 2011 and be available for consultation and submission with a view to adoption by Auckland Council before the 2013 local elections;

Strengthen provisions to involve community and private sector participation to take account of existing 'local area' Spatial Plans;

Provide for relevant Government policies and strategies for Auckland's growth and development such as the National Policy Statement, National Infrastructure Plan and Transport GPS and nationally important energy, water, telecommunications and social infrastructure programmes and projects to be taken into account;

Provide a clear requirement for the Spatial Plan to be implemented and set a clear expectation that Auckland Council and its CCO subsidiaries will give effect to the Spatial Plan in a timely and efficient way and that implementation will be closely monitored through the appropriate SOI process established by Council; and

Specify that the Auckland Spatial Plan has a formal statutory status and clarify a single statutory hierarchy under which implementation should proceed.

There is no provision to give the Auckland Spatial Plan statutory status in terms of the RMA and is unclear in terms of timeliness, consultation, representation, integration of Council and Central Government policy areas affecting Auckland, and requirement for CCOs to enable or 'give effect to' the Spatial Plan and its delivery under other Council Plans and Strategies.

Auckland Chamber of Commerce (175)

A key part of the Spatial Planning should include a Regional Arts Strategy.

Auckland Philharmonic Orchestra (182)

Auckland Regional Council recommends that proposed Section 66 is deleted and that Spatial Planning for Auckland is addressed through the review of the RMA and is consistent with the Hauraki Gulf Marine Park Act 2000 and the Waitakere Ranges Heritage Area Act 2008.

If section 66 is not deleted then the Auckland Regional Council recommends that:

- it is amended to require the Spatial Plan to include policy objectives for social, cultural and economic wellbeing and the protection of historic heritage; and
- it is amended to state that the Auckland Council may amend the Spatial Plan at any time.

Auckland Regional Council (916)

Auckland Regional Holdings considers there are real benefits in a Spatial Plan that includes transport planning and covers how shipping, rail and road networks integrate. A comprehensive Spatial Plan with regulatory force is needed to achieve effective planning. The Bill should require a draft Spatial Plan to be prepared within 12 months, finalised by 30 June 2012 and then a review and update of the plan every three years.

Auckland Regional Holdings (050)

Supports the development of an effective and broad long-term strategy for growth and development in Auckland, and recommends that a Regional Arts Strategy be specially identified as a function of the Spatial Plan.

Auckland Theatre Company (975)

Clause 45 (66) - Part 6 - Spatial Planning

- subclause (2) - consider this clause desirable in which the arts and creative sector will factor significantly as a driver of the region's GDP, and a key contributor to the development of a world-class city;
- subclause (3) (d&g)) - Considers arts will be essential to illustrate Auckland's future development. Arts infrastructure needs to be well-planned and resourced with a view to what the future will look like rather than what Auckland looks like in 2010;
- subclause (4) - the involvement of the arts sector as a key community participant in the Spatial Planning
for Auckland will ensure greater economic, social, and cultural benefits to the region.

Auckland Writers & Readers Festival (189)

Recommends a sub-clause be added to ensure that the preparation and development of Spatial Plans includes mechanisms for the involvement of children and young people, consistent with UNICEF's Child Friendly Cities initiative.

Barnardos New Zealand (031)

The Bill should require the Auckland Council:
- to liaise closely with network utility providers in establishing its Spatial Plan and its Resource Management Act plans and policies; and
- to acknowledge and respect the rights of network utility providers under the Electricity, Gas and Telecommunications Acts.

Bob Lack Counties Power Ltd (249)

Submitter proposes Part 6 of the Bill be deleted. Submitter proposes that new clauses be inserted regarding short-term regional planning of land use and infrastructure that can respond to changes in demographics, markets, technologies and the economy. Planning strategies should not be built into RMA planning documents. Submitter proposes that an RMA Ombudsman be trialled by Auckland Council to assist with resolving conflicts between the numerous stakeholders and that if the trial is successful it is used in other regions.

Centre for Resource Management Studies (239)

A requirement for child safety and wellbeing to be considered in the development of the Spatial Plan for Auckland. This would set the precedent for proactively planning for educational services, safe routes to schools, safe driveways, cycle ways, walkways, children's parks and the provision of amenities that will benefit the health of children. Addition to clause 66(3) (k) of "while taking into consideration the health and wellbeing of Auckland's children"...

Child Safety Foundation New Zealand (241)

There needs to be an amendment to this section that sets the timeframe for updating the plan. A sub-clause should be inserted to bind CCOs to the Spatial Plan.

City Vision (247)

Threatens the protections currently offered by the Waitakere Ranges Heritage Area.

Clare Bates (223)

The new Spatial Plan will not be subject to the Waitakere Ranges Heritage Area Act - a change that is happening without consultation.

Clive Teare (901)

The plan should include economic, social and environmental outcomes given the lead role local government has in place shaping. The Plan should be subject to the Waitakere Ranges Heritage Area Act. The legislation should specify the frequency of Spatial Plan reviews.

Community Waitakere Charitable Trust (253)

Super council may ignore the protections of the Waitakere Ranges Heritage Act.

Daniel Findon and Catherine Murray (259)

Supports the Spatial Plan proposal and the Plan should provide for a Regional Arts Strategy.
David Inns Auckland Festival Trust (169)

Develop a Regional Arts Strategy as part of the Spatial Plan. Include asset mapping of all council owned land and buildings. Focus on social and cultural issues alongside economic growth and development. Include a timetable for reviewing the plan.

David Poole Estuary Arts Centre (285)

Spatial Plan must be statutory. Must be linked to the RMA, Part II, and RMA Phase II reforms. Want a separate Spatial Plan for the Gulf Islands.

Dee Austring (036)

Planning should ensure that the environment of the Hauraki Gulf and Islands, and Auckland’s regional parks is sustainable for several generations.

Denny Reid (056)

The Spatial Plan should be called the Auckland Plan for better understanding by the community at large.

Eastern Bays Community Board (823)

Local board members should be part of the resource management hearings on applications within their area and have statutory input into Spatial Plan.

Eden Albert Community Board (162)

Amend subsection (7) to make Spatial Plan available at each location of local boards.

Edward Exton Fletcher (275)

Spatial Plan fails to include provisions to "avoid, remedy, or mitigate the adverse effect" of Auckland growth and development on the Auckland region and the surrounding environment. Needs to recognise other features of the environment, e.g. amenity values or significant landscape. For further detail please refer to original submission.

Environment and Conservation Organisations (734)

Supports the creation of a long-term strategy for growth and development of Auckland. However, it opposes the current wording of clause 66 of the Bill and proposes several amendments.

- Clause 66(3) (j) of the Bill should be deleted until a thorough analysis is undertaken of the appropriate legal status of the Spatial Plan and the implications for other planning instruments;
- The proposed functions of the Spatial Plan do not include provision for the protection of outstanding natural landscapes. Clause 66(3) (i) of the Bill should be amended to provide that a function of the Spatial Plan is to identify outstanding natural landscapes that should be protected from development. This would be consistent with local authorities’ obligations under the RMA;
- Clause 66 of the Bill should be amended to include reference to the metropolitan urban limit (the MUL). This is necessary to avoid urban sprawl and to protect peri-urban areas;
- Provision should be made for a Spatial Plan to potentially deliver specific targets derived from international environmental obligations; and
- Clause 66(6) of the Bill provides that the Auckland Council must prepare and adopt the Spatial Plan, or any amendment to the plan, in accordance with the special consultative procedure. Presumably, this is the procedure established under section 83 of the LGA 2002. Suggest that clause 66(6) could include an express reference to this section so it is clear what the special consultative procedure requires.

Environmental Defence Society Incorporated (291)

Require the Spatial Plan by considered by all CCOs in formulating their plans. Require consultation with central Government entities during the development of the Spatial Plan. Include reference to affordable housing within clause 66(3) (h).
Eriata Peri Auckland Public Health Service (185)

Auckland Transport should be required to prepare and adopt a plan for how it will give effect to (not just be consistent with) key Council strategies such as the Regional Land Transport Strategy and the Spatial Plan. All CCOs should give effect to the Spatial Plan to the extent that it is relevant to their activities and other Council plans do not provide more specific detail.

Forum for Auckland Sustainable Transport (292)

That industrial areas such as North Harbour, Greater East Tamaki and Rosebank be part of the regional plan directly responsible to the Auckland Council with the Economic Development, Tourism and Events CCO confirmed as the agency with primary responsibility for these industrial areas.

Gary Holmes North Harbour Business Association (516)

Must take into account urban design and the specific characteristics that make up the unique areas of Auckland.

Gerard Hill (802)

CCOs should be required to comply with the Spatial Plan.

Grassroots Action Group (973)

No Spatial Plan should be imposed without the clear advice and consent of affected local boards. It appears to duplicate matters in a well conceived Regional Plan, may impose unreasonable conditions on small communities without genuine consultation and consideration and the relationship with the Resource Management Act is unclear.

Great Barrier Community Board (739)

Opposed as new Spatial Plan will not be subject to the Waitakere Ranges Heritage Area Act 2008.

Heidi Tacbian (377)

The new Spatial Plan will be subject to the Ranges Heritage Area.

Hilary Jones (547)

The current provisions of the Waitakere Ranges Heritage Area Act must be retained to protect this important area.

Hugh Grenfell (357)

Spatial Plan must be statutory. Must be linked to the RMA 1991, Part II, and RMA Phase II reforms. Want a separate Spatial Plan for the Gulf Islands.

Ian Denis Powell (746)

Support creation of a regional Spatial Plan. The Plan must record the commitments of key central government agencies and other key partners to achieve the outcomes agreed in the plan. The Plan must involve these partners at an early stage and consistently throughout development of the Plan. The Plan must coordinate and integrate activities across the region to achieve coordinated, sustainable development, in collaboration with external organisations, partners, central government and Auckland's communities. To give effect to the Plan, it is essential that all Council organisations and activities be required to deliver on the Plan, including Local boards and the CCOs.

Janet Cole Community Coalition 4 Auckland (262)

The Council needs to recognise and integrate the Hauraki Gulf Marine Park Act into all policy, strategy and
long-term plans.

Jerome Nicholas Partington (068)

The Spatial Plan should incorporate the Waitakere Ranges Heritage Area Act.

Joanna Fadyl (360)

The Bill fails to adequately define Auckland Council's role to develop either a Spatial Plan and associated strategies.

Joel Clayford - Auckland Regional Councillor (704)

Supports requirement for Spatial Plan. How do the operations of the seven CCOs fit in with Local board plans and the Auckland Council's LTCCP and Annual Plan? Especially as Auckland Transport may not be required to prepare a ten year plan.

John G Riddell Massey Community Board (192)

Supports requirement for Spatial Plan. How do the operations of the seven CCOs fit in with Local board plans and the Auckland Council's LTCCP and Annual Plan? Especially as Auckland Transport may not be required to prepare a ten year plan.

John G. Riddell (888)

The Bill should detail dispute procedures and mechanisms for ensuring priority is given to local opinion in resource allocation and Spatial Planning.

John M Stansfield (905)

The Hauraki Gulf should have a separate statutory plan to ensure sufficient resources are allocated for the wellbeing and Kaitiakitanga of the Hauraki Gulf - Tikapa Moana and its communities.

Judy Johannessen (910)

The Spatial Plan must be statutory and linked to a Spatial Strategy to overcome the poor outcomes resulting from uncoordinated planning and inefficient legal processes.

Judy Johannessen (910)

Include Regional Arts Strategy.

Juliette Laird (701)

Opposed as it removes the requirement of the Spatial Plan to have special regard to Waitakere Ranges Heritage Area Act.

Jym Clark (603)

- Amend the Bill to provide a coherent linkage form the Mayor's 'vision for Auckland' into the Auckland (spatial) Plan and all other plans also give effect to the Council's strategic intent;
- Insert a wider range of objectives in (e.g. social objectives and economic development) in clause (3) (f);
- Redraft the Bill to provide the necessary primacy to the Auckland Plan (spatial), ie that all other plans give effect to the Auckland Plan (spatial);
- Rename the Spatial Plan The Auckland Plan; and
- Amend (4) to include a September 2011 deadline for adopting the Auckland Plan.

Kaaren Goodall Committee for Auckland (265)

- Provide for all current Resource Management Act requirements to be combined into one document;
• Refer to the Auckland Plan rather than the Spatial Plan;
• Amend (3) (f) to include economic development and social and environmental objectives; and
• Amend (3) (i) to provide that the Spatial Plan is to identify significant ecological and historic heritage areas and significant public open spaces which are to be protected from development.

Auckland City Council (545)

Must include Waitakere Ranges Heritage Area Act in the Spatial Plan.

Kath Dewar (702)

Clause needs to be amended to include word "sustainable" before ‘growth’ and ‘development’. Clause needs to recognise ‘Protected Areas’.

Kit Howden (065)

This replaces the current Growth and Development Strategy, which is subject to the Waitakere Ranges Heritage Area. The new Spatial Plan would not be subject to the Waitakere Ranges Heritage Area and effectively opens the way for the new super city council to ignore the protections the WRHA provides.

Leanne Taylor (812)

Waiheke desires a separate Spatial Plan for the Hauraki Gulf and believe that without this, there will always be insufficient resources allocated for the wellbeing of the island populations and kaitiakitanga of the Hauraki Gulf and its communities.

Leith Duncan (811)

All CCOs should be required to give effect to the Spatial Plan, to the extent that it is relevant to their activities, and other Council plans do not provide more specific guidance.

Living Streets Auckland (875)

Part 6 of the Bill, which would require the Auckland Council to prepare a Spatial Plan, should not proceed at this stage. The proposal to require a Spatial Plan and its implications for other planning processes and the RMA should be examined carefully and fully in the Phase 2 Review of the RMA, which is due to be completed by 30 June 2010. It would be premature to enact the proposed Part 6 before the review is completed and the full implications of the proposed legislation are assessed.

Local Government Forum (877)

It may be valuable to include some form of duty on both Auckland Transport and Auckland Water to either have regard to or take into account the Spatial Plan. Amend Parts 4 and 5 to include specific reference to the Spatial Plan.

Local Government New Zealand (543)

Spatial Plan needs to be consistent with the Waitakere Ranges Heritage Are Act 2008.

Lynda Williams (1225)

Request that the Hauraki Gulf has a separate Spatial Plan than the rest of the Auckland region.

Lynette Loris Reed and Graeme Noel Reed (1227)

Include arts and cultural infrastructure in the Plan.

Lynn Lawton The Depot Artspace (267)

Recommends that the parameters of the Spatial Plan are expanded to include arts and cultural infrastructure.
Maggie Gresson - Artists Alliance (159)

Include an explicit link between the regional land transport programme and the Spatial Plan. Amend the Bill to require CCOs to give effect to the Spatial Plan and strategic direction of the Auckland Council and reference the four wellbeing. Amend the Bill to clarify the status of the Spatial Plan and include a definitive time period for the adoption of a Spatial Plan. The role of tangata whenua and local boards in the development of the Spatial Plan needs to be explicit.

Manukau City Council (957)

Include the words 'social and economic wellbeing' after the words 'other infrastructure' in (3) (f). Include the words 'and all of its CCOs after the words 'Auckland Council' in (3) (j).

Franklin District Council (509)

Auckland Council must be able to decide for itself when or if it wants to complete a Spatial Plan.

Mark Donnelly (817)

Recommend that the principles of place shaping are a key component within the creation of such plans and that proactive measures are built into legislation for the regional Spatial Plan which focuses equally on outcomes and building and aligning strong community/council relationships. Questions the strong emphasis on economic growth and development as opposed to environmental guardianship, sustainable planning and social outcomes. Do not consider that there is an adequate social aspect/social infrastructure component to the regional Spatial Plan. Concerned that the Spatial Plan will not be subject to the Waitakere Ranges Heritage Area.

Massey Matters (814)

The Bill should be amended to impose on the Auckland Council a clear mandate and responsibility to fund, sustain and collaborate with effective regional and sub-regional social and community service and networking organisations such as Citizens' Advice Bureau and Councils of Social Service; and for local boards to fund, sustain and collaborate with such local organisations.

Maungakiekie Community Board (197)

The Plan and its implementation will suffer by
- the inability of 7 CCOs to with separate boards of directors and CEOS to interact with each when the situation arises;
- An inability by Auckland Council to take effective action against a poor performing CCO especially Auckland Transport;
- An inability by Auckland Council to drive its own One Plan for Auckland; and
- An inability for people to feel they can influence what happens in their street and neighbourhood.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

A Spatial Plan would improve coordination, resource planning and outcomes but It needs to be linked to an overall strategy and the vision of residents with a focus on people, places, futures and sustainability. A separate Spatial Plan for the Hauraki Gulf is needed.

Millie Watkins (086)

How will the development of business areas be accomplished when there are a myriad of agencies involved in Spatial Planning and infrastructure development?

Mt Eden Village Mainstreet and Business Association Incorporated (109)

The Auckland Council's Spatial Plan should recognise the visual and performing arts as a driver of regional GDP and as a contributor to a world class city. Visual and performing arts infrastructure should be included in the Auckland Council's Spatial Plan. Would like to establish a regional policy on arts infrastructure planning to ensure that communities receive
Submitter supports development of a Spatial Plan that has statutory authority in terms of the Resource Management Act and becomes the guiding planning framework that the CCOs are required to give effect to. Other enablers of the Spatial Plan would include Local boards, the Māori Board, Ethnic/Pacific Advisory Panels.

The Spatial Plan must integrate with national plans such as the National Infrastructure Plan and New Zealand Transport Strategy. Recommends the inaugural Spatial Plan, with a span of 30 years, be developed by the second half of 2011 and adopted before the 2013 elections.

Submitter has included a proposal for an Integrated Spatial Planning Framework.

The submitter recommends that the Bill be amended to require the Auckland Council to establish an Executive Management Board chaired by the Mayor and comprising the Chief Executive of the Auckland Council and the Chief Executive Officers and Chairs of the seven CCOs. The Board will be responsible to ensure collaboration and alignment of the respective organisations in the implementation of the Auckland Spatial Plan set by the Auckland Council.

New Zealand Council for Infrastructure Development (949)

An additional sub-section is added to Section 66(3) and reads: "to identify significant historic heritage places and areas in Auckland that should be protected from inappropriate development".

The definition of 'historic heritage' in this Bill should be the same as the definition in the Resource Management Act 1991.

New Zealand Historic Places Trust Pouhere Taonga (938)

A Regional Arts Strategy should be included in the Bill as a specific function of the Spatial Plan.

New Zealand Opera Ltd. (970)

An effective and broad long-term strategy for growth and development in Auckland is desirable in which the arts and creative sector will factor significantly as a driver of the region's GDP and a key contributor to the development of a world-class city. As has been well-evidenced in the successful development of London, Toronto and Brisbane, the arts will be essential to illustrate Auckland's future development. It is proven that arts and culture regularly lead the community in its growth. Arts infrastructure needs to be well-planned and resourced with a view to what the future will look like rather than what Aucklanders looks like in 2010. The involvement of the arts sector as a key community participant in the Spatial Planning for Auckland will ensure greater social, economic and cultural benefits to the region. Submit that a Regional Arts Strategy, with criteria and articulated expectations monitored by the Auckland Council who will be responsible for its delivery will be a vital tool in Auckland's future development.

NZ Sculpture OnShore Ltd (829)

Opposed as will not protect the Waitakere Ranges Heritage Area Act 2008.

Niico Woodward (613)

Suggested amendments include clarification on the timeframe and purpose of the Spatial Plan. For further detail please refer to the original submission.

North Shore City Council (200)

The involvement of the arts sector as a key community participant in the Spatial Planning for Auckland will ensure greater social, economic and cultural benefits to the region. Submit that a Regional Arts Strategy, with
criteria and articulated expectations monitored by the Auckland Council who will be responsible for its delivery will be a vital tool in Auckland's future development.

NZ Sculpture OnShore Ltd (829)

Need to include a general consultation process.

Onehunga Business Association (721)

Consideration needs to be given to the requirement for a Spatial Plan as it relates to its integration with, and its hierarchical status alongside, other plans and strategies. As a minimum, there should be a requirement to take into consideration existing regionally agreed strategies and policies such as the Auckland Sustainability Framework and the One Plan, the Regional Land Transport Strategy, the Auckland Regional Economic Development Strategy and so on. Additionally, the Council considers that the role of local boards in the process of developing the Spatial Plan should be explicit in the legislation in order that the "shared governance" role of the Council and the Boards is underlined and supported.

Papakura District Council (196)

Recommends that:
Section 66 (3) (f) be amended to read "heritage and environmental management" and an additional subsection be added that reads "to identify significant heritage areas and places in Auckland that should be protected from inappropriate development".

Parnell Heritage Inc. (927)

Need to include historical, cultural areas or the protection of water, sustainable transport. For further information please refer to original submission.

The Spatial Plan should include appropriate development and sustainable growth as key principles. Cultural and historic areas should also be included

Patricia M Reade (926)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Act.

Paul Bates (933)

Should the Plan be a Local Government Act process or a Resource Management Act process? There is an unclear relationship between the Plan, National Objectives and Policies is unclear. The functions in (3) should be re-categorised and made more comprehensive Policies. Supports recognition of private sector participation in (4). Could be problematic to give effect to changes to the Plan.

Peter Fuller (531)

This is a mammoth planning exercise and may result in planning paralysis. Remove the Plan from the Bill pending a further review of how the provision will work in practice. If removal of the Plan is not accepted, provide for staged development of the Plan. (wording suggested)

Peter McKinlay Institute of Public Policy (368)

Give a time frame for setting it up. Require that Spatial Planning be sustainable. Powers to delegate appropriate functions under the RMA and the Spatial Plan to the Māori Board and local boards. Powers with respect to the coordination of utilities like broadband, electric power, gas and telecommunications. A reference to recreational activities and open space in subsection (3) (h) and these should be protected as are ecological areas in 3i. Require CCOs to give effect to the Spatial Plan.

Pippa Coom Grey Lynn 2030 (293)
Rural areas in Rodney and Franklin District have specific town planning needs which don’t work in ‘one-size fits all’ urban focussed planning structure. The protections currently in place for rural areas should be protected and preserved.

Auckland Council needs to have the powers needed to manage regional parks, open coastal areas, green belts and other valuable public amenities.

Rainbows End and Rivers Environmental Group Inc. (922)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Area Act 2008.

Rean Fadyl (618)

Delete 66(3) (a-c) as the overall strategic direction for Auckland needs to be in a higher level document than the Spatial Plan. The Spatial Plan needs to give effect and physical expression to the Mayoral Vision and community outcomes. The plan’s focus needs to be on social, environmental, economic and cultural outcomes through the facilitation of the integrated physical development of Auckland. There needs to be a requirement for the Spatial Plan to take into account the community outcomes and the Mayoral Vision.

Rodney District Council (976)

There should be reference to the “four wellbeings” in the Bill.

Romy Udanga (630)

Recommends that a requirement for child safety and wellbeing to be considered in the development of the Spatial Plan for Auckland be made; this would set the precedent for proactively planning for educational services, safe routes to schools, safe driveways, cycleways, walkways, children’s parks and the provision of amenities that will benefit the health of children.

SafeKids New Zealand (892)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Area Act 2008.

Sarah Ellis (623)

That the Spatial Plan should include consultation with the Local boards and communities. That the Spatial Plan should identify and incorporate existing documents on relevant issues.

SavePapakura (941)

Spatial Plan must be statutory. Must be linked to the RMA 1991, Part II, and RMA Phase II reforms. Want a separate Spatial Plan for the Gulf Islands.

Shirin Brown (128)

Regional place names should be maintained in all planning to maintain identity and accountability.

ShoreSafe (935)

Require the Plan to be reviewed at regular intervals. Lacks reference to social justice or environmental sustainability.

Sigrid Shayer (538)

A Regional Arts Strategy should be specifically identified as a function of the Spatial Plan.

Silo Theatre Trust (637)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Area Act 2008.
Simon Tapp (626)

Support this innovative approach to planning. Would like to see the consultative procedure more clearly defined. Would like to see a clause that requires Auckland City to always act in a way that is compatible with its own policies and plans. Would like to see CCOs being required to give effect to the Council’s Spatial Plan which has been a result of consultation with Auckland communities at large. Would like Auckland Transport to be included in such a requirement.

Sue Fitchett (846)

Must be amended to ensure that the Spatial Plan is subject to the Waitakere Ranges Heritage Area Act 2008.

Susanne Vincent (726)

Spatial Plan must be statutory. Must be linked to the RMA 1991, Part II, and RMA Phase II reforms. Want a separate Spatial Plan for the Gulf Islands.

Susi Newborn (727)

Auckland has not progressed as it should have due to the lack of a common vision and strategic plan for the region. Support the Bill’s provisions for a strategic plan for Auckland, namely the Spatial Plan. However, this should not be purely spatial, two-dimensional, or geographic. The third dimension of community outcomes, aspirations or objective must be incorporated. This includes economic and social development.

Suzanne Michele Weld (881)

The same specific requirement that it be sustainable, as is currently the case in the LGA and RMA should be added. Economic, social, cultural and environmental objectives should also be added. Powers to delegate appropriate functions under the RMA and the Spatial Plan to the Māori Board and to the Local boards should be added. Powers with respect to the coordination of utilities like broadband, electric power, gas and telecommunications need to be added. Section 66 (3) (h) should add references to “historic heritage, recreational activities and open space” and these should be protected, as are ecological areas in 66(3) (i). Section 66 (6) the special consultative procedure requirement is supported. Section 66 (7) (b) the Act should require the plan and amendments to be made available on Waiheke Island and Great Barrier Island.

Tamaki Community Board (195)

When constructing the Spatial Plan for Auckland it is imperative that Auckland Council adopts existing documents that have been developed following extensive preparations and consultation - Vision Rodney, Rodney long-term council community plan and Planning Rodney.

Taupaki Resident and Ratepayers Association (939)

The provisions for the Spatial Plan do not advocate that the plan account for the four wellbeings. Should be amended so that the social, economic, environmental, and cultural wellbeing of the community is given importance in developing the Spatial Plan. There are no provisions that the Spatial Plan be subject to the limitations and protections given in the Waitakere Ranges Heritage Area Act. This section should be amended so that the Spatial Plan of Auckland is subject to this Act.

Tet Woo Lee (849)

The same specific requirement that it be sustainable as in the LGA and RMA should be added. Economic, social, cultural and environmental objectives should also be added because environmental guardianship, sustainable planned activities and equitable social outcomes are equally important.

- Powers to delegate appropriate functions under the RMA and the Spatial Plan to the Māori Board and to the local boards should be added.
- Powers with respect to the coordination of utilities like broadband, electric power, gas and telcos need to be added.
Subsection (3) (h) should add reference to "historic heritage, recreational activities and open space" and these should be protected, as are ecological areas in (3) (i).

Subsection (6) requiring the special consultative procedure is supported.

In subsection (7) (b) the Act should require the plan and amendments to be made available on Waiheke and Great Barrier.

A timetable for reviewing and updating these Spatial Plans should be added.

The Labour Local Government Sector Council (958)

Suggests Clause 66 (3) be amended to "to identify the existing, and guide the future, location of critical infrastructure services and any associated investment in Auckland (for example open space, transport, water supply and wastewater services including stormwater management)"

The New Zealand Water and Wastes Association (127)

The Spatial Plan needs to be consistent with the provisions of the Waitakere Ranges Heritage Area Act.

The WeedFree Trust (954)

Needs to be regularly reviewed and this be specified in legislation.

Titirangi Ratepayer and Residents Association (730)

The lack of specific provisions to improve the quality of our urban environment is a concern. The Spatial Plan as proposed in the Bill will have no more legislative clout than the doomed Regional Growth Strategy.

Urban Design Forum (855)

There is no mention of the need for sustainability within Spatial Planning. There appears to be no alignment back to the RMA. There is also no clarity about public infrastructure.

Waiheke Community Board (894)

Spatial Plan must be statutory. Must be linked to the RMA 1991, Part II, and RMA Phase II reforms. Want a separate Spatial Plan for the Gulf Islands.

Waiheke Island Community Planning Group Inc (WICPG) (741)

Supports the provisions relating to Spatial Planning for Auckland, however, the provisions are deficient in that the obligation on others to implement or give effect to the provisions of the Spatial Plan are weak and insufficient to engender effective participation in the Spatial Planning process. The Bill is deficient in the area of the extent to which any plan is binding on participants. It does not require parties to participate nor does it override or mesh with other statutory imperatives. Council submitted amendments to new section 66 by the inclusion of new subsections (8) to (11) to cover requirements to give effect to the Spatial Plan, and for Government endorsement of the Spatial Plan. (see full submission for detail).

Waitakere City Council (194)

All CCOs should be required to give effect to the Spatial Plan, to the extent that it is relevant to their activities, and other Council plans do not provide more specific guidance.

Walk Auckland Inc (861)

The plan purpose should include 4 wellbeings, not 'growth and development', local boards' plans to contribute to the Spatial Plan and a standardisation of district plans over all of NZ would be excellent.

Western Bays Community Board (193)

That the Spatial Plan is renamed the Auckland Plan and includes social and environmental objectives and set the overall direction. Local boards' three year plans should be part of this process.
The proposed Spatial Plan should be required to comply with the provisions of the Waitakere Ranges Heritage Area Act.

William Robert Wilson (873)
The following submitters raised the issue of Māori representation on Auckland Council.

Include Māori seats on the Auckland Council.

A Young (742)
Council should have provision for 3 Māori seats as proposed by the original report of the Royal Commission.

Aidan Burch (021)
Strongly support Māori seats on the Auckland Council for higher level decision making power.

Amanda Judd Youthworx (515)
Māori voters should have option of voting on the Māori roll for reserved Māori seats on the Council - the number of seats should be proportionate to Auckland electors on the Māori roll.

Andrew Miller (018)
Three seats on the Auckland Council should be set aside for Māori.

Carol Symington (024)
Object to Māori being denied a seat on Auckland Council.

Caroline Mabry (233)
Bill should include Māori seats.

Catherine Lee (236)
Council should have dedicated Māori seats.

Child Poverty Action Group (244)
Three seats should be the minimum starting point for negotiation with Māori.

Chris Everitt (97656)
Reinstate Māori seats as recommended by the Royal Commission.

Christine Ross PSA (550)
Submitter in support of elected members from Māori Wards.

City Vision (247)
Should be both elected and Mana Whenua representatives with voting rights on the Auckland Council.

Daniel Findon and Catherine Murray (259)
Oppose and urge that both elected and mana whenua be accorded voting representation on the Auckland Council.
Danielle Romanes (266)
There must be elected and mana whenua appointed voting representatives on the Auckland Council.

Donna Wynd and David Benson (100)
Opposed. Should be both elected and mana whenua appointed voting representatives on the Auckland Council.

Dorte Wray (260)
Needs to be elected Māori members of the Auckland Council.

Dr Alison Towns (320)
There should be two Māori seats on the Auckland Council elected by people on the Māori roll.

Dr M Dale (902)
Support for both elected and mana whenua appointed voting representatives on the Auckland Council.

Drama Magic Ltd (019)
There needs to be elected Māori members of the Auckland Council.

Eden Albert Community Board (162)
Māori need guaranteed representation on the Auckland Council.

Emily Smith (286)
There should either be three Māori seats in the Auckland Council, 2 for tangata whenua and 1 for tawa here or a statutory board established.

Forum for Auckland Sustainable Transport (292)
Agree that for the new Council to have truly democratic representation it must have one person one vote regardless of ethnic background and no race or ethnic based representatives.

Geoffrey Johnston (306)
Both elected and mana whenua should be appointed voting representatives on the Auckland Council.

Guy Bibby (077)
There needs to be elected Māori members of the Auckland Council.

Hilltrud Grueger Springleigh Residents Association (542)
Māori representation in local government services needs to be retained and further developed.

Injury Prevention Network of Aotearoa New Zealand (358)
Supports both elected and mana whenua appointed voting representatives on the Auckland Council.

Jane Gilmour (009)
Strongly supports Māori seats on the Auckland Council for higher level decision-making power, as a more effective process that engages the identified peoples, through powerful, genuine consultation, and quality
relationships, with the inclusion of youth participation.

Jarad Bryant (363)

Supports elected and mana whenua appointed voting representatives on the Auckland Council.

Jerome Nicholas Partington (068)

There should be Māori representation in the Council.

John M Stansfield (905)

Māori seats should be created on the Auckland Council.

Kath Dewar (702)

There must be Māori representation on the Auckland Council.

Linda Kaiou (071)

There should be three Māori seats on the Auckland Council, two for tangata whenua and one for taura here. At least one director of each CCO should be Māori and nominated by the Statutory Board, after a consultation process with mana whenua and taura here.

Living Streets Auckland (875)

There should be both councillors’ electors to Māori seats and appointed Mana Whenua councillors with voting rights on the Auckland Council.

Lucy Hawcroft (555)

Include Māori seats on Auckland Council.

Luis Lachica (723)

The Bill does not fairly and fully include Māori in the Auckland Council.

Michelle Kean (108)

There should be Māori seats which are elected by the people.

Nathan Ngatai (014)

Recommends that part 7 of the Bill is deleted and replaced by provision that the Auckland Council include two councillors elected from Māori wards.

New Zealand Council for Infrastructure Development (949)

The recommendations of the Royal Commission be reconsidered with regard to Māori representation of the Council. The legislation should ensure that Māori wishes for participation in regional and local governance are incorporated into the new legislation.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Submitter supports elected Māori members of the Auckland Council in a mana whenua role.

NorthWestern Community Association (936)

Restore Māori seats.
Māori seats should be included on the Auckland Council.

There should be Māori seats on Auckland Council.

The non-inclusion of Māori seats in the new council could be seen as a failure in ‘partnership’.

Needs to be elected Māori members of the Auckland Council.

The advisory board does not create a genuine partnership with Māori and fails to meet the terms of the Treaty of Waitangi. Māori seats should be included on the Auckland Council to ensure true representation.

Supports guaranteed Māori representation on the Auckland Council to honour the spirit of Te Titiriti and present a Māori voice.

Provide for three Māori elected councillors.

A statutory board is insufficient as the Auckland Council could easily overlook it and its views.

Māori are being offered only a minor advisory role.

Our responsibility as Treaty partners means that we must have Māori seats on Council.

There should be a Māori seat on the Auckland Council.

Both elected and a mana whenua appointed voting representatives should be on the Auckland Council.

Elected and mana whenua appointed voting representatives should be on the Auckland Council.

Dedicated Māori seats must be included on the Auckland Council.
Susanne Vincent (726)
Wants Māori seats on the Auckland Council.

Terry Anne Beazer (537)
There should be Māori seats on the Auckland Council.

Titirangi Ratepayer and Residents Association (730)

Tony Siu (736)
There should be two Māori seats in Auckland. These should be elected by the people on the Māori roll.

Val Wynd (854)
A Māori engagement and work-force development strategy needs to be developed.

Dr Lorna Dyall (057)
Clarify that appointees have full speaking and advisory rights, and not voting rights, on committees and that
the council is responsible for determining which committees are covered after consulting the board.

Auckland City Council (545)
Recommend that there is a mana whenua partnership with Council in Papakura with mana whenua and
council to deal with rates, major infrastructure and funding. Kaitiaki and environmental organisations for the
protection of the environment by using protection programs, resource consents and the management plan.
Tangata whenua to work with local management companies for the monitoring and the contracts of
management plans. Should also cover whaitaki (Whanau well being) and local crime prevention, also health
and education organisations for employment and social services.

William Brown (870)

Keyword: 67 Establishment and purpose of Board

Oppose establishment of Māori statutory board. Support dedicated seats for Māori on Auckland Council.

Alastair Jamieson (143)

Part 7 is totally unnecessary. Māori have as much opportunity to be elected as anyone else.

Allen Davies (148)

Ensure that Māori wishes for participation in regional and local governance are incorporated into the new
legislation.

April Nicholson Te Ukaipo Mercy Initiatives for Rangatahi Ltd (536)

Concerned that the establishment of this Board is reinforced by a significant process which ratepayers will
carry the cost of and could recreate a ‘them and us’ culture within the new council and wider community.
Suggest a more democratic approach to provide for provisions in this area that are consistent with those for
the rest of NZ and note that the LGA currently provides for local authorities to take their own decisions on
addressing Māori representation under Treaty of Waitangi obligations.

Auckland Chamber of Commerce (175)

Auckland Regional Council recommends that the provision in the Bill related to the Board promoting issues of
significance for Mana Whenua and Māori are deleted and replaced with provision that establishes two Māori
wards.
It is also suggested that consideration is given to the interaction of the two mechanisms for Māori representation/input to Council decision making, if they exist simultaneously.

Auckland Regional Council (916)
The Auckland Council will have no obligation to follow the advice of the Mana Whenua Advisory Board. Support at least three Māori seats on the Council to ensure compliance with the Treaty of Waitangi. The Royal Commission recommended that there be three Māori seats to allow Māori to have authentic representation and genuine influence and participation in the Auckland Council.

Auckland Women's Centre (184)
Oppose creation of mana whenua advisory board as it is a token gesture.

Basil James Holmes (208)
The Auckland Council will have no obligation to follow the advice of the statutory board for mana whenua.

Beatnik Publishing (051)
Oppose Part 7 and support of both elected and mana whenua appointed voting representatives on the Auckland Council.

Dave Breur (268)
The Auckland Council should have at least two Māori seats for mana whenua and taura here. At least two members of the Māori Statutory Board should be entitled to sit on any council committee where they believe Māori interests need to be safeguarded and that they have a vote each.

Denise Roche (263)
The statutory board should be replaced by statutory representation.

Doris de Pont (269)
Reduced participation in Auckland Council by Mana Whenua and other Auckland Māori as they will only have an advisory role.

Dr John Salmon (037)
- Support the establishment of the mana whenua and taura here boards, but mana whenua need to be allocated seats on the Auckland Council;
- The mana whenua and taura here boards need to be positioned as 'Pou' - above the Auckland Council; and
- The mana whenua and taura here boards need to be allocated adequate funding for hiring staff, for board members attending meetings, and travelling costs.

Dr Lorna Dyall (057)
Māori need guaranteed representation on the Auckland Council.

Emily Smith (286)
Clarify if committee members have voting rights on the committee.

Franklin District Council (509)
There should either be three Māori seats in the Auckland Council, 2 for tangata whenua and 1 for tuara here or a statutory board established.

Forum for Auckland Sustainable Transport (292)
An advisory board fails to represent the important interest of tangata whenua. Better to allow elected Māori officials.

Gerard Hill (802)

Supports the need for direct representation of manawhenua and Māori on the new Auckland Council and considers that the opportunity to be truly transformative and to better align local government and Māori thinking on what Treaty based relationships at a regional and local government level mean, were missed. The Board proposed under Part 7 of the Bill is not considered reflective of such a Treaty partnership. Part 7 is absent on detail about the selection process, term of office or accountability of Board members back to Whanau, hapu and iwi. In the absence of the provision for representation on the new Auckland Council, and as a means to mitigate potential risks for whanaui, hapu and iwi of the creation of a Board under the Bill, it is proposed that a clause that requires the new Auckland Council to give effect to the principles of the Treaty of Waitangi be introduced.

Hauraki Māori Trust Board (804)

This has ignored the role of Mana whenua and rights of rangatiratanga within their own tribal region. As a very minimum there should be three guaranteed seats for Māori representation and more importantly Mana whenua representation as recommended by the Royal Commission. Māori Advisory Units at an operational level be established and adequately resourced to support Councils to meet both statutory and non-statutory responsibilities to Te Tiriti o Waitangi and the Treaty of Waitangi for the cultural, spiritual, economic and social well being of Māori communities. Would like the inclusion of a statement which clearly sets out that the Māori Statutory Board is not responsible for upholding the functions, powers or processes Local Government in regards to the Local Government Act 2002. The new Auckland Council must plan and provide for the responsibilities and obligations to the wider Māori Community in regard to provisions of the LGA 2002.

Helen Te Hira IHI Action Group (501)

It is important that the Māori Advisory Board has input.

Individual Six (549)

The board should have powers that the Auckland Council cannot ignore and be democratically elected by the mana whenua to ensure it has their best interests at heart.

Individual Submitter 8 (968)

The proposed ‘statutory board’ will provide advice only when Council consults it. Suggests establishment of Māori seats and appointed Māori representation.

Janice Gardiner (075)

A statutory board for mana whenua is an inadequate provision for Māori representation under our Treaty of Waitangi obligations. Submit for full Māori representation by seats on the new Auckland Council.

Jeffery Ronald Saunders (370)

There should be one voting place for mana whenua on the Auckland Council.

John Kirikiri (909)

The Auckland Council will have no obligation to follow the Boards advice and this is counter to the need for a genuine spirit of partnership and cooperation.

Jon Carapiet (879)

Oppose a purely advisory board with no real power. Needs to be elected Māori members.
Karen Brown (7674)

As consensus would be difficult to achieve omit (3) and clauses 14(9) (b) and 15 in new Schedule 3.

Auckland City Council (545)

The Māori Advisory Board as described in the Bill offers no real decision-making powers to Māori and it is tokenism. Support the Royal Commission recommendation for specific Council seats for Māori. If persisting with proposed Māori Advisory Board then recommend that those appointees should have voting rights on any committee dealing with issues that concern Māori.

Kayla Mackenzie-Kopp (806)

Māori should have a proper place on the Auckland Council.

Kim Walker (908)

Supports the establishment of a board but suggests members be elected by mana whenua.

Leaf Burrows (020)

The issues confronting the Board will be complex and involve making choices between various value sets. The nature of the decision making process should be left to the members of the Board to determine. While supporting the establishment of the Advisory Board they note that Parliament has committed the Council to potentially considerable expense and no ability to amend this without legislative reform. Delete the requirement (3) that the Board follow the principle of consensus decision making.

Local Government New Zealand (543)

Amend the purpose of the board so that it is consistent with the purpose of local government as defined in the Local Government Act, "to promote the wellbeing of communities".

Amend the Bill to clarify the role and powers of the Māori advisory board or amend to give Auckland Council the ability make decisions on the nature of the board. Clarify the decision making purpose and consequences if a consensus can't be reached.

Manukau City Council (957)

Oppose as the proposed board is a tokenistic and toothless board that the Auckland Council can ignore.

Marina Kokanovic (099)

The provision of a statutory board for mana whenua does not fulfil the rights of Māori to be full partners in the decision-making of the Council. Designated Māori seats should be included on the Auckland Council.

Mary-Ann de Kort (822)

The new Auckland Council should be required to take account of the boards advice and recommend full representation of Māori on the Auckland Council and for inclusion of Māori seats.

Massey Matters (814)

Taura here should have five seats on the Māori statutory board. Taura here should have members appointed to Auckland Council committees dealing with social and economic matters. Selection of members for the Māori statutory board should be based on the system used by the Manukau City Council. Propose that 50 per cent of members for the Māori statutory board should be chosen by public vote, the other 50 per cent should be chosen by Te Puni Kōkiri. The Māori statutory board's budget should be set on a three year cycle.

Moana M Herewini (1211)

Support, if adequately resourced.
Neil Miller (521)

The Boards must have powers to decide and advise on Issues for Māori, not just promote issues.

New Zealand Council of Trade Unions (512)

With reference to the proposed Bill and the establishment of a Mana Whenua Board, a system for proportionate representation of the seven mana whenua is proposed - two representatives each from Ngati Whatua ropu; Waitako ropu; and Hauraki/Marutuahu ropu, and one representative from Ngati Wai ropu.

Ngati Whatua O Orakei Māori Trust Board (110)

This Bill should set the precedent as a new governance arrangement that recognises Māori and provides for Māori representation.

Nigel Vaughan Smith (084)

The Auckland Council is only required to take into account this Board's advice and has no obligation to do so. Advocate for the full representation of Māori and for the inclusion of Māori seats on the Auckland Council.

North Shore Community and Social Services (830)

Concerned at the following matters:

- members of the Board are required to follow "principles of consensus decision making". These principles are not defined anywhere. This provision is not required by either the Council or any of the other bodies being set up to advise the Council, who it is presumed, will use standard voting majority. It also forces a 'one Māori voice' to Council, and this fails to recognise the diversity of iwi within the region, and the differing perspectives they bring to the table. It is also unnecessary in that current provisions only require Council to "take into account" the Board's advice, not take it into effect;
- it is unclear as to whether the provisions detailing the relationship between the Council and Māori Board are seen to fulfil Council's obligations under section 14(1) (d) of the LGA 2002 relating to Māori consultation;
- the Board must appoint two members to each Council committee dealing with management and stewardship of natural and physical resources. This requirement is at odds with the wider purpose of the Board and does not provide opportunity for decision-making contributions across Council. It is also unclear what the phrase "management and stewardship of natural and physical resources" actually means;
- it is unclear as to whether these appointments to Council committees will be appointees who have voting rights. This needs to be clarified; and
- the proposal that the Board secretariat staff are employed by the Auckland Council but are to work under the direction of the Board is a fundamental change to the employment conditions of local government staff. The issue of who these employees are ultimately accountable to should be clarified, for example, through the mandatory development of a protocol between the Board and the Chief Executive Officer.

Papakura District Council (196)

This should be replaced with a real and genuine provision for Māori to take their proper place on the Auckland Council.

Peta Joyce (526)

Designated Māori seats should be created on the Auckland Council.

Peter Aimer (931)

Both elected members and voting representatives be appointed by mana whenua on the Auckland Council.

Peter Friedlander (104)
Iwi should decide their representatives.

Peter McCurdy (530)
Opposes as undemocratic.

Pippa Coom Grey Lynn 2030 (293)
There is no proper Māori (or Pacific) representation as of right.

Pita Vete (836)
The proposed Mana Whenua advisory board is toothless and tokenistic. The fact that this board is appointed by the Minister of Māori Affairs, rather than having a mandate from Māori through a democratic process further signifies the board's irrelevance and lack of decision-making power. Māori seats should be included in the council structure.

Princes Street Branch, New Zealand Labour Party (837)
The advisory board does not create a genuine partnership with Māori and fails to meet the terms of the Treaty of Waitangi. Māori seats should be included on the Auckland Council to ensure true representation.

Raeburn House (921)
The Council will have no obligation to follow the advice of the statutory board for mana whenua.

Ramon Thackwell (090)
There is no recognition in this section that obligates the Auckland Council to recognise and honour the role of Mana Whenua in the region. The phrasing of this purpose suggests that Mana Whenua will and taura here of Auckland will not have meaningful input to decision making and will be represented in appearance only.

Rangimarie Naida Glavish (534)
Supports selection processes defined by and acceptable to Māori for all levels of Māori participation in the super city. There should be three guaranteed Māori seats. No limitations of Māori to an advisory role.

Reverend Jean Brookes and Reverend Anne Moody (616)
The Board has no power to act and be providing non-binding advice to the Council.

Robin Campbell (0114)
A statutory board is insufficient as the Auckland Council could easily overlook it and its views.

Robin Linda Duke (840)
Māori are being offered only a minor advisory role.

Ruth Milburn (920)
Prefers elected seats. If it is to be a board then committee members should have voting rights.

Sandro Kopp (546)
The board should have committee status.

ShoreSafe (935)
Local Government (Auckland Law Reform) Bill

No proper Māori or Pacific Island representation as of right.

Sione Tauliaki (540)

The Auckland Council will have no obligation to follow the advice of the statutory board for mana whenua.

Su Yin Khoo (845)

Appointments from this board will only be made to those Auckland City committees dealing with natural resources. No requirement for the Council to pay heed to the advice it receives for this board.

Sue Fitchett (846)

Section 1 should be amended to give the Board decision making capability on matters relevant to mana whenua and Māori of Tamaki Makaurau. Support for section 2, with the amendment of 'selection body' to 'Electoral College'. Support Section 3.

Tamaki Regional Mana Whenua Forum (943)

The establishment of this board at a second tier level does not reflect tangata whenua representation in accordance with a Treaty relationship. This can only be achieved by mana whenua representation at the governance level that is representation on the Council, where they can have decision-making powers. Recommend that there be a minimum of three guaranteed Māori seats on the Auckland Council; that Māori Advisory Units be established at an operational level to support the Council to meet responsibilities to Te Tiriti o Waitangi; that a Māori Local Government Commission be established to deal with those aspects of the Local Government Commission's jurisdiction and activities that impact on Māori and Te Tiriti o Waitangi; and that an independent Treaty of Waitangi Audit Office be established to audit local government compliance with Te Tiriti o Waitangi rights and obligations.

Tamaki Treaty Workers (118)

The submitter proposes that the proposed board is replaced by a Tiriti o Waitangi governance arrangement.

Te Ora o Manukau (942)

The mana whenua advisory board will have no real powers beyond giving advice and should be replaced with a real provision for Māori to take their proper place on the Auckland Council. The prohibition on councillors from being directors of CCOs should be removed.

The Aucklander (130)

In effect, the Statutory Board will have no more effective power than an advisory board.

Te Runanga a Iwi o Ngapuhi (891)

Care must be taken to ensure that the Bill does not create unnecessary competition between interesting parties. It is important to ensure the process does not threaten the unity of rangatiratanga. The Board's purpose is best reflected in the same terms as the purpose of the Local Government Act 2002. The principles of decision making should be determined by the Board in keeping with rangatiratanga - tikanga a iwi, the ability of iwi groups to govern.

Te Taumata Runanga (535)

The mana whenua advisory board will have no real powers beyond giving advice and should be replaced with a real provision for Māori to take their proper place on the Auckland Council. The prohibition on councillors from being directors of CCOs should be removed.

The Aucklander (130)

Unless provision is made for iwi to have representation on the Council in their own right, then the Mana
Whenua Statutory Board should be empowered to be consulted on all issues and to have veto right on sale of any assets that could affect iwi treaty of Waitangi claims.

Three (893)

Māori representatives should have voting rights on council committees.

Waiheke Community Board (894)

The Council supports Māori representation directly on Auckland Council. The proposed statutory board will add to and strengthen the network of relationships enabling mana whenua and Māori generally to participate in Auckland governance. The board will better achieve its purpose and that of the Auckland Council by conducting its business in an open and transparent manner, making itself aware of community views and providing opportunities for Māori to participate in decision-making processes. An amendment to clause 67 to achieve this is suggested. To achieve a more positive focus for the board, the Council submits that the word "matters" be substituted for "issues" at each occurrence in clauses 67 and 69. In addition to membership on committees of Council that deal with the stewardship of natural and physical resources, the board should statutorily have the right to appoint members to committees that deal with social community and cultural matters. An amendment should be made to clause 70.

Waitakere City Council (194)

Endorses the establishing of a Māori board. The limitation to two Board representatives on Council committees dealing with the management and stewardship of natural and physical resources, confines the democratic process of the proposed Māori Board.

Waitakere Ethnic Board (883)

There should be three Māori seas on the Auckland Council, two for tangata whenua and one for taura here. At least one director of each CCO should be Māori and nominated by the Statutory Board, after a consultation process with mana whenua and taura here.

Walk Auckland Inc (861)

Wendy John (868)

Recommend that there is a mana whenua partnership with Council in Papakura with mana whenua and council to deal with rates, major infrastructure and funding. Kaitiaki and environmental organisations for the protection of the environment by using protection programs, resource consents and the management plan. Tangata whenua to work with local management companies for the monitoring and the contracts of management plans. Should also cover whaitiaki (Whanau well being) and local crime prevention, also health and education organisations for employment and social services.

William Brown (870)

Support Māori seats on the Auckland Council for higher level decision making. Include youth participation.

Youthline (121)

**Keyword: 68 Board's name**

Support Section 1. Support Section 2. Do not support Section 3 - there should be a general provision that the Board must formally and publicly notify any such change of name confirmed by the Board as soon as practicable.

Tamaki Regional Mana Whenua Forum (943)

The submitter proposes that the proposed board is replaced by a Tiriti o Waitangi governance arrangement.

Te Ora o Manukau (942)
Keyword: 69 Board's general functions

Auckland Regional Council recommends that the provisions in the Bill related to the Board promoting issues of significance for Mana Whenua and Māori are deleted and replaced with provision to establish two Māori wards.

It is also suggested that consideration is given to the interaction of the two mechanisms for Māori representation/input to Council decision making, if they exist simultaneously.

Auckland Regional Council (916)

Amend the Bill to clarify the role and powers of the Māori advisory board or amend to give Auckland Council the ability to make decisions on the nature of the board. Clarify the decision making purpose and consequences if a consensus can't be reached.

Manukau City Council (957)

The Auckland Council is only required to take into account this Board's advice and has no obligation to do so.

North Shore Community and Social Services (830)

Section 69 (d) and (e) need to add that the Māori Board also has a role to advise all the CCOs and the Local boards.

Tamaki Community Board (195)

Support Section (a), (b), (c), and (e). Section (d) should use the word 'notify' rather then 'advise'.

Tamaki Regional Mana Whenua Forum (943)

Delete "issues" and use words such as "priorities or areas of interest". Clarify the ability of the Board to renegotiate its work plan with the new Auckland Council outside of the agreed work plan should the need arise. All levels of the Auckland Council decision making process should appropriately reflect its commitment to the Treaty of Waitangi and Board's priorities and work plan.

Te Taumata Runanga (535)

Section 69(d) and (e) need to add that the Māori board also has a role to advise all the CCOs and the local boards as well as the Auckland Council.

The Labour Local Government Sector Council (958)

The board will better achieve its purpose and that of the Auckland Council by conducting its business in an open and transparent manner, making itself aware of community views and providing opportunities for Māori to participate in decision-making processes. An amendment to clause 67 to achieve this is suggested. To achieve a more positive focus for the board, the Council submits that the word "matters" be substituted for "issues" at each occurrence in clauses 67 and 69. In addition to membership on committees of Council that deal with the stewardship of natural and physical resources, the board should statutorily have the right to appoint members to committees that deal with social community and cultural matters. An amendment should be made to clause 70.

Waitakere City Council (194)

Keyword: 70 Board's specific function

Add to subsection (1) "The board will appoint a maximum of 2 persons representing mana whenua to sit on all Auckland Council committees, not only those that deal with the management and stewardship of natural and physical resources."
In section 70(1) add "and Local board Committees" and reference to "the Auckland Council". In section 70(2) add "or local board" and "or local boards" and reference to "the Auckland Council". In section 70(4) add "or local board" and reference to "the Auckland Council".

If Local boards establish committees to deal with the management and stewardship of natural and physical resources, or local board committees wish to have a Māori member, Part 7 Section 70 should apply to such committees as well as to committees of the Auckland Council.

The Council will have no obligation to follow the advice of the statutory board for mana whenua.

Section 70 (1) need to add "built and cultural" resources to the natural and physical resources referred to. Those one or two Māori Board appointees to a limited number of appropriate Council Committees should, specifically in legislation, have speaking and voting rights.

Support for Section 1 with the addition "this also includes CCO's". Support Section 2. Support Section 3 (a) but change the word "views" to "advice". Delete section 3(b). Support Section 4 but change "must" to "may" Support Section 5.

Section 69(d) and (e) need to add that the Māori board also has a role to advise all the CCOs and the local boards as well as the Auckland Council. In section 70(1) need to add "built and cultural" resources to the natural and physical resources referred to, because built structures and cultural resources and expression are equally important to Māori as natural and physical resources. The one or two Māori board appointees to a limited number of appropriate Council Committees should specifically in the legislation have both speaking and voting rights. In Section 71 the Māori Board should have some appropriate powers delegated to it, particularly some RMA and cultural powers.

There should be Māori seats on the Auckland Council.

Section 83 ignores what might be the wishes of the residents.

In addition to membership on committees of Council that deal with the stewardship of natural and physical resources, the board should statutorily have the right to appoint members to committees that deal with social community and cultural matters. An amendment should be made to clause 70.

No submissions were received on this new section.
Proposes that the intended meaning of new section 72(1) (b) is clarified. Proposes that the Bill makes clear who will be making decisions on whether to not proposed new subsections 72(1) (b) and (c) apply to information the Auckland Council provides to the board. For further detail refer to the submission.

New Zealand Law Society (971)

The Auckland Council is only required to take into account this Board's advice and has no obligation to do so. Advocate for the full representation of Māori and for the inclusion of Māori seats on the Auckland Council.

North Shore Community and Social Services (830)

**Keyword: 73 Auckland Council's duties to board**

No submissions were received on this new section.

**Keyword: 74 Schedule 3 applies to board**

No submissions were received on this new section.
Part 8
Miscellaneous

Keyword: 75 Council may impose additional accountability requirements on substantive council - controlled organisation

CCOs should recommend their plan to Council, with Council being able to consult on and amend the plan. Council should be able to issue directives to all CCOs that are binding.

Andrew Miller (018)

Council - controlled organisations should be open, transparent and fully democratic. No CCO should have jurisdiction over Waiheke’s services unless it can be proven that such involvement is of regional significance.

Anu Grace (160)

Strongly recommends the Bill clearly require for all CCOs to have a consistent and robust SOI framework setting out accountability arrangements with Auckland Council covering: the nature and scope of the CCOs activities; the outcomes, objectives and outputs of the organisation; and the performance targets and other measures by which each CCO may be judged (by Auckland Council and the wider community) in relation to its outcomes, objectives and outputs. Recommend the Bill be amended to include an explicit provision for all CCOs to have an SOI that complies with Schedule 8 of the LGA 2002 and that the SOI include a shared narrative setting out Council’s overall objective and some guiding principles.

Auckland Chamber of Commerce (175)

Auckland Regional Council recommends that the provision proposed in section 75 which provide additional accountability requirements for substantive CCOs are retained, except for section 75(3) which should be deleted.

Auckland Regional Council (916)

To facilitate democratic public understanding and decision-making on council operations, specific requirements should be made in the Bill requiring Auckland Council to publish full financial accounts of all council CCOs in the Auckland Council’s Annual Plan and promptly publish all agendas and minutes of council CCO Board meetings held.

Brian Van Dam (232)

Concerned about the accountability of CCOs.

Catherine Farmer (1691)

If an Investment CCO is formed (whether included in the Bill, and Order in Council or its Statement of Intent), it must include an objective to manage its investments consistently with an approach that would be taken by a rational commercial investor in the particular asset class or sector, taking a long term and holistic view of the investment and the returns derived from it, and not solely “with a view to maximising returns to the Council”.

Charles Spillance Auckland Airport (176)

CCOs established by the Council must have the capacity to engage with Local boards, their Statements of Intent should take account priorities agreed with Local boards and the resourcing for engagement should be written into service agreements. The processes accompanying the establishment of the CCO structure, including the development of a Draft Statement of Intent, its approval by Council, the preparation of regular reports and an Annual Report, need to be rigorously audited by the Office of the Auditor-General, including the adequacy of the resourcing provided by the Council for the operation of its CCOs and the Council’s
capacity to effectively support their ownership of the entities. The development of more participatory
democratic practice through active partnerships with local communities in Auckland should be proactively
monitored by the OAG and reported on to Parliament.

COMET Charitable Trust (250)

This requirement is only for CCOs that are wholly owned by the Council. If privatised, such entities would not
be required to adhere to Council accountability requirements.

Community Waitakere Charitable Trust (253)

There must be provision for public attendance and inputting CCO meetings. There also needs to be provision
for public submissions into CCO business.

Donna Wynd and David Benson (100)

There needs to be public attendance at meetings of CCOs and the provision for the public to make
submissions.

Dr M Dale (902)

Should be statutory links between council - controlled organisations and local boards so that council-
controlled organisations incorporate the views of local boards.

There should be a legislative requirement for CCOs to have formal contact with local boards. Auckland
Council have voting rights on all council - controlled boards.

Eden Albert Community Board (162)

To facilitate democratic public understanding and decision-making on council operations, specific
requirements should be made in the Bill requiring Auckland Council to publish full financial accounts of all
council CCOs in the Auckland Council's Annual Plan and promptly publish all agendas and minutes of council
CCO Board meetings held.

Eileen Van Dam (276)

Auckland Transport should be involved with the provisions of clause 75(2) (c).

Eriata Peri Auckland Public Health Service (185)

Lack of information and clear understanding on roles and responsibilities of CCOs as there are no direct
statutory linkages or obligations placed on CCOs.

Henderson and New Lynn Community Boards. (166)

This Clause should be extended to provide for the preservation of records and archives, held by existing
Auckland councils and council-controlled organisations, under the new Auckland governance structure.
Add a provision to this clause that requires CCOs to "report annually with regards to compliance with sections
27 and 40 of the Public Records Act 2005".

Joanna M. A. Newman - Archives and Records Association of New Zealand (030)

CCOs should be retained in whole by the Council ensuring full accountability.

Jonathan Godfrey (705)

Amend to mandate substantive CCOs to prepare for the Auckland Council all the accountability requirements
outlined in subclause (2). Change from quarterly reporting against the SOI to six monthly reporting.

Kaaren Goodall Committee for Auckland (265)
Amend (3) to require Auckland Transport to prepare a plan but it is not obliged to address any matters already adequately addressed in the Regional Land Transport Programme.

Auckland City Council (545)

CCOs must consult with and report regularly to Local boards on service levels and exceptions including service failures. In addition the Bill needs to identify the delegations local boards hold to enable them to make decisions.

Mangere Community Board (138)

Amend the clause to remove Auckland Transport exemption from the requirement to prepare and adopt a plan.

Manukau City Council (957)

Clause 75(3) of the proposed legislation states the Council may not require Auckland Transport to prepare and adopt a 10 year plan under subsection (2)(c). Believe that the removal of this requirement will result in less local and community input into strategic planning for Auckland Transport and greater central government focus.

Massey Matters (814)

Submitter recommends that the additional reporting requirements be removed as the Statement of Intent preparation and reporting process would provide sufficient information or the Council. The clause should also give similar status to Auckland Transport to avoid inconsistencies between it and the Auckland Council strategic direction.

CCOs should develop 30 year infrastructure strategies supported by 10 year asset management and investment plans, which align with the Spatial Plan.

New Zealand Council for Infrastructure Development (949)

Retain section 75 as it introduces additional accountability requirements and the requirements for a Statement of Intent.

North Shore Events Centre (832)

Require CCOs to work towards the Auckland Council's Strategic Plan.

Pamela Mills (519)

Recommend that a clear statement be made in the Bill about the accountability of CCOs. Recommend that CCO pricing be subject to Commerce Commission regulation and oversight.

Peter Atkinson, The Employers and Manufacturers Association (Northern) (551)

Essential activities and services should be delivered directly, and in democratically accountable ways. There should not be an excessive reliance on the private sector and CCOs.

Rev Andrew Bell (518)

Concerned that the linkages between the planning or the proposed Auckland Transport CCO and the Auckland Council are too weak. Concerned that Auckland Transport's meetings are not open to the public, with the exception of when Auckland Transport is making a bylaw. Concerned that the Auckland Council has no ability to change the Auckland Transport's organisational form, e.g. revoking its CCO status to bring operations in-house. Recommended that Auckland Transport be treated as any other CCO, with the exception that the NZTA should be able to appoint one non-voting member and the Auckland Council appoint two full members, to the governance of Auckland Transport.

Rodney District Council (976)
Section 75(3) should be removed and Auckland Transport should be required to comply with all of the requirements of section 75. The legislation is not clear about the Statement of Intent for Auckland Transport.

Rodney District Council (976)

Support the outlining of accountability processes between Auckland City and CCO boards. However, the word ‘contribute’ is not strong enough and should be changed to ‘putting into effect’.

Sue Fitchett (846)

Section 75(1)(b)(ii) this should be amended so that a substantive CCO need only have $2 million in assets to be defined as a substantive CCO. Section 75 (2) (c) (iii) add "technological, and public opinion" factors. Section 75 (3) delete, so Auckland Transport is not exempt from the substantive CCO requirement to prepare a 10-year plan.

Tamaki Community Board (195)

TelstraClear Pacific (125)

Should be amended so that a substantive CCO need only have $2 million in assets to be defined as a substantive CCO. In section 75(2) (c) (iii) add "technological and public opinion" factors. Delete 75(3) so Auckland Transport is not exempt from the otherwise generally applying substantive CCO requirement to prepare a ten-year plan.

The Labour Local Government Sector Council (958)

Suggests that the Auditor-General develop and annually review specific levels of service and performance targets for the water organisation, having regard to international best practice.

The New Zealand Water and Wastes Association (127)

The Council supports the additional accountability requirements on CCOs, however, these provisions should be extended in scope and imposition. The council proposes that section 75 be amended as follows: "75 (2) The Council may require a substantive council-controlled organisation to- (a) include in its statement of intent, and/or its constitution, a narrative on how the organisation will contribute to- (i) the Council's and, where appropriate, the Government's objectives and priorities for Auckland; and (ii) the Council's achievement of the principles contained in section 14 of the Local Government Act 2002."

Waitakere City Council (194)

Support the retention of section 75 as it introduces additional accountability requirements and the requirements for a Statement of Intent.

Waitakere City Stadium Trusts (882)

**Keyword: 76 Councillors prohibited from appointment as directors of substantive council - controlled organisations**

Majority of Directors of CCOs should be elected councillors as they have been elected by the people of Auckland.

Aidan Burch (021)

Majority of board members for all council-controlled organisations should be elected councillors. In order to ensure proper environmental and sustainability controls are applied, CCOs need oversight from the Auckland Council.

Alastair Jamieson (143)

This clause prevents elected councillors from being on boards of CCOs. The public will not have a say on
how CCOs are run.

Andrew Miller (018)

The prohibition on Auckland Councillors being directors of CCOs should be removed.

Anne Priestley (154)

Auckland Regional Council recommends that section 76 is deleted, allowing the Auckland Council to determine its own policy on the appointment of councillors to board of CCOs.

Auckland Regional Council (916)

Opposed. Majority of CCO Board members should be elected councillors.

Audrey van Ryn (151)

Opposed. Elected councillors should be able to sit on the Boards of CCOs with maximum of two external appointments to be allowed on each CCO where necessary to fill skill gaps.

Avondale - Roskill Residents Association (ARRA) (205)

Prohibition on councillor being directors of CCOs is undemocratic. The majority of board members of a CCO must be elected councillors.

Barbara Lucy Baragwanath (216)

The Bill imposes an undue corporate model on public assets and provides for their eventual sale.

Beatnik Publishing (051)

Strongly opposed. All CCOs should have a majority of their voting Board members democratically elected.

Bera MacClement (218)

Betty Mather and Eric Mather (059)

Oppose and a majority of CCO board members should be elected councillors.

Bryan Parris (220)

This removes control from the elected representatives of the Auckland Council and the Campaign is against an unaccountable CCO. This proposal takes the core business of Council out of the hands of the democratically elected representatives, meaning that Aucklanders will lose the ability to hold councillors accountable for much of what the council does. Councillors should be able to sit on the boards of CCOs.

Campaign for Fair Ferry Fares (235)

Carol Scott (087)

Supports as it creates appropriate governance drivers. Extend the prohibition to exclude members of Local boards forming part of the Auckland Council's structure being appointed to the Boards of CCOs. There should be a prohibition on members of the governing body of the Auckland Council being appointed to the board of a company in which a CCO is shareholder. "A substantive council-controlled organisation must not exercise any rights it may have to appoint a person to be a director of a company in which it holds shares, if that person is, at the time of appointment, a member of the governing body of the Council."

Charles Spillance Auckland Airport (176)

Majority of CCO board members must be elected councillors.
Local Government (Auckland Law Reform) Bill

Elected councillors must be allowed to become directors of any CCO.

Chris H Williams (240)

The majority of CCO Board members should be elected councillors.

City Vision (247)

Local board members should also be prohibited from becoming directors of council-controlled organisations in order to avoid a conflict of interest. Concerned those local boards may be able to influence the decisions of council-controlled organisations.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Why should Auckland councillors not sit on the Board of an Auckland CCO?

Craig Vincent Powell (264)

Should be elected representatives as CCO would not be democratically controlled.

Daniel Findon and Catherine Murray (259)

Thwarts the exercise of democratic control over CCOs. A majority of CCO Board members must be elected councillors.

Danielle Romanes (266)

Oppose and support the majority of CCO board members being elected councillors.

Dave Breur (268)

Majority of Auckland Transport board members should be elected councillors of the Auckland Council. Elected Councillors should be allowed to be directors of council-controlled organisations.

David Spencer Trapp (026)

The majority of board members of a CCO must be elected councillors.

Donna Wynd and David Benson (100)

Opposed. Should be majority of board members being elected councillors.

Dorte Wray (260)

Support a majority of board members being elected councillors.

Dr Alison Towns (320)

There needs to be public attendance at meetings of CCOs and the provision for the public to make submissions.

Dr M Dale (902)

Majority of CCO board members should be elected councillors.

Dr Paul Cullen (321)

Supports a majority of CCO board members being elected councillors.
Drama Magic Ltd (019)

Majority of council-controlled organisation board members should be elected councillors.

Edward Exton Fletcher (275)

Support a majority of CCO board members being elected councillors.

Elaine Dyer (048)

Auckland Councillors may not be directors of CCOs and may only be members on the boards of some, 50 per cent of rates go to CCOs.

Elisabeth Laird (281)

Bill should be amended so that the council and local boards are identified as partners in the usage, design and maintenance of roads to remove the Transport Agency’s sole responsibility for roads. Unelected appointees should not control Council assets.

Fiona Johnston (978)

Elected councillors should be able to appoint directors of Auckland Transport. Mana whenua representatives should be elected by local iwi. Mana whenua representatives should sit on Auckland Council and have right to speak on any issue that affect the tangata whenua. The Auckland Council should be obliged to follow their recommendations.

Genevieve Utting (060)

There are many councillors with commercial experience and, as councillors, will know their city and be able to advise on any proposal that may have potential adverse effects.

Gerard Hill (802)

Majority of CCO board members should be elected councillors.

Guy Bibby (077)

Support the majority of CCO board members being elected councillors.

Harry Russell Haley (115)

CCOs should have councillors on their boards.

Hilary Jones (547)

All CCO board members should be elected councillors.

Hilltrud Grueger Springleigh Residents Association (542)

The majority of board members of Auckland Transport and other CCO should be elected councillors.

Ian A Gould (066)

Councillors should be able to sit on the boards of CCOs.

Janice B Cruickshank (373)

The provision prohibiting councillors from being directors of CCOs must be struck out. These are the elected representatives of Auckland's citizens and must be allowed to perform whatever functions citizens determine. The Transport Agency must be under the control of the elected representatives of Auckland's citizens who
Local Government (Auckland Law Reform) Bill

would be accountable for decisions that they make.

Jeffery Ronald Saunders (370)

Councillors should be able to sit on the boards of CCOs.

John N. Sloane (808)

Opposed CCOs should have a majority of councillors as directors. Directors board meetings should be open unless genuinely confidential.

John Shaw (607)

Transfers effective control of transport-related powers and functions from elected councillors to unelected Ministerial appointees.

Jon Carapiet (879)

CCOs should be retained in whole by the Council ensuring full accountability. For further detail please refer to original submission.

Jonathan Godfrey (705)

Supports.

Kaaren Goodall Committee for Auckland (265)

Support a majority of CCO board members being elected councillors.

Karen Brown (7674)

At least five board members should be elected councillors.

Directors of Auckland CCOs should be on the Auckland electoral roll.

Kim Walker (908)

Opposed. As ratepayers we are shareholders with no basic rights.

Last Light Limited (600)

Councillors should not be prohibited from being directors of CCOs.

Leaf Burrows (020)

Supports a majority of Auckland Transport board members being elected councillors. Supports both elected and mana whenua appointed voting representatives on the Auckland Council. Supports a majority of CCO board members being elected councillors.

Levent Okyay (011)

CCO directors should have a range of appropriate skill sets and expertise, including into communities and cultures, business acumen and be socially and environmentally responsible. Reviews of the Auckland Council should be against desired performance, that is, outcomes on the ground, as well as financial performance.

Living Streets Auckland (875)

Remove clause. The Auckland Council should determine the appointment process.

Manukau City Council (957)
Opposed to prohibition on councillors. Opposed to Minister having power to decide functions of CCOs.

Margie Thomson (845)

Elected councillors will be prohibited from being directors of all other CCOs, transferring effective control of vast areas of Auckland's governance from elected councillors to unelected Ministerial appointees. The Auckland Council will have no obligation to follow the advice of the statutory board for mana whenua.

Mark Paterson (107)

Councillors should be able to sit on the boards of CCOs.

Mary-Ann de Kort (822)

Concern that the CCOs will be run by unelected directors that are not directly accountable to the region's ratepayers. Maintain current Mainstreet/Business Improvement District for at least two years to give time to formulate a new policy.

Mrs Chris Sutton Panmure Business Association (517)

Will it be possible for local board members to be appointed as directors of substantive CCOs? This could lead to unfair emphasis being given to certain geographic locations.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

Nadine McDonnell (937)

It is undermining of local democracy to have the directors of CCOs appointed by the Minister of Local Government and not to enable representatives to be directors of CCOs. It should be up to the new Auckland Council to decide whether particular councillors should be directors, not the Minister.

New Zealand Council of Trade Unions (512)

CCOs should be appointed and organised by elected councillors.

Noreen Prudence Giles (094)

Councillors should be on the boards of CCOs to bring accountability back to the community level.

North Shore Community and Social Services (830)

Retain section 75 as it introduces additional accountability requirements and the requirements for a Statement of Intent. Retain section 76. However, also note that office holders should have a mandate back to the community/council, i.e. democratic accountability is needed. If this is not the case then it could amount to privatisation which is not supported. Directors need to be accountable.

North Shore Events Centre (832)

No mention of Local board members being appointed as directors of substantive CCOs. Could lead to geographic favouritism. Influence of Local boards on CCOs is unclear.

North Shore Town Centres Group (511)

Give decision making powers that affect the general public to people elected by the general public.

Pamela Mills (519)

Auckland Council should be able to appoint and replace all directors as necessary, including from amongst its elected members. The Auckland Council should also be able to appoint the chairpersons and deputy chairpersons of all CCOs.
Papatoetoe Community Board (199)

Majority of the members of CCOs should be elected members.

Patrick Doherty (833)

Support as Mayor/councillors could have real conflict issues in a dual role.

Peter McKinlay Institute of Public Policy (368)

Majority of CCO board members should be elected councillors.

Peter Thomspon (717)

Majority of CCO board members should be elected councillors.

Phil Chase (718)

A majority of Auckland Transport members should be elected councillors. The majority of CCO board members should be elected councillors.

Philip Jones (015)

A majority of CCO board members should be elected councillors.

Pippa Coom Grey Lynn 2030 (293)

Limiting councillor participation in CCOs will transfer power from elected councillors to Ministerial appointees.

Ramon Thackwell (090)

This is an intrusion into the power of the Auckland Council to determine the democratic structure and processes of CCOs in accordance with the Local Government Act 2002.

Richard Challis (923)

It should be possible to have elected representatives as directors.

Robert and Margaret Coldham (533)

Prohibition on councillors being board members should be removed.

Robert Richards South Titirangi Ratepayers and Residents (541)

This section further decreases the democratic nature of CCOs.

Robin Campbell (0114)

Roger and Joanna Booth (098)

Oppose subsection 76.

Ron R Miller (1229)

That this clause is deleted or amended to allow a number of councillors on a CCO.

SavePapakura (941)

Councillors should be on boards to ensure the ongoing protection of citizen-owned assets and to prevent
business models being imposed on running local government services.

Scott Griffiths (947)

Sigrid Shayer (538)

A majority of CCO boards member should be elected councillors.

Simon Griffiths (539)

Currently have a councillor and community board member on the Mainstreet Board. Are concerned that this will not be possible under the new model and that our position to represent our members and our community will be weakened as will have no direct access to the Mayor or council.

St Heliers Village Association (843)

A majority of CCO board members should be elected councillors.

Steve Marshall (844)

The majority of CCO board members should be elected councillors.

Steve Roigard (016)

Elected councillors will be prohibited for being directors of all other CCOs, transferring effective control of vast areas of Auckland's governance from elected councillors to unelected Ministerial appointees.

Su Yin Khoo (845)

Would like to see more elected representatives to the Boards of CCOs, possibly a mix of elected councillors and other elected representatives. The latter could be elected onto the board in elections similar to those held for power companies and hospital boards. Any interim appointees should be short-term until a system is set up to allow for a better ratio of elected members of boards.

Sue Fitchett (846)

In every case a majority of CCO board members should be elected councillors.

Susan Potter (847)

The mana whenua advisory board will have no real powers beyond giving advice and should be replaced with a real provision for Māori to take their proper place on the Auckland Council. The prohibition on councillors from being directors of CCOs should be removed.

The Aucklander (130)

Delete as it should be up to the Council to decide whether particular Councillors would be the best directors of a substantive CCO and not the Parliament or Government.

The Labour Local Government Sector Council (958)

Majority of CCO board members must be elected councillors.

Tony Siu (736)

Propose to reverse the numbers, with two appointees with specific expertise in transport and the remainder as elected councillors. Majority of directors of CCOs must be elected.

Tracey Ann MacLeod (126)
Support retention of section 76. Support independent Directors who have been elected for their skill sets and experience. Appointment of Elected Representatives as Directors has the potential for conflicts of interest to arise.

Waitakere City Stadium Trusts (882)

CCO directors should have a range of appropriate skill sets and expertise, including into communities and cultures, business acumen and be socially and environmentally responsible. Reviews of the Auckland Council should be against desired performance, that is, outcomes on the ground, as well as financial performance.

Walk Auckland Inc (861)

The majority of CCO board members should be elected councillors.

Wendy John (868)

A majority of CCO board members must be elected councillors.

Yvonne Matheson (547)

**Generally Opposed**

Jerome Nicholas Partington (068)

Jo Robinson (903)

John A Haywardy (906)

John Kirikiri (909)

John M Stansfield (905)

Julie M Gould (069)

Katharina Bauer (038)

Lisa Er (964)

Maire Leadbeater (914)

Margaret Todd (911)

Marina Kokanovic (099)

Michael Andreasen (1201)

Nexus Senior Sustainability Group (707)

Sarah Grimes (116)

**Keyword: 77 Disputes about allocation of decision - making responsibilities, proposed bylaws, or local board agreements**

General support for the clause. Suggests that the Local Government Commission be enabled to determine disputes that may arise between local board and CCOs. The use of local board budgets to meet dispute resolution costs could dissuade board from pursuing genuine grievances with the Auckland Council. The Local Government Commission should be sufficiently resourced to ensure the timely resolution of disputes between the local boards and the Auckland Council.

Botany Community Board (950)
Appreciate the effort to safeguard against the governing body removing roles and responsibility from Local boards. Vital that the final arbiter is seen by all parties as being independent and fair. It is essential that disputes are resolved in a timely manner. The Board also notes that the dispute resolution process does not relate to CCOs, which needs to be remedied.

Devonport Community Board (824)

Unhappy with the disputes resolution process laid out in the Bill. Is legally unsound as it makes the Local Government Commission a quasi-judicial body with absolute power and no rights of appeal. Also favours the Auckland Council over Local boards as the Auckland Council determines its own budget, while the Local boards budgets are determined by the Auckland Council who they could potentially be in dispute with.

Eden Albert Community Board (162)

Supports intent of the provision.

John G Riddell Massey Community Board (192)

Supports intent of the provision.

John G. Riddell (888)

The Bill should detail dispute procedures and mechanisms for ensuring priority is given to local opinion in resource allocation and Spatial Planning.

John M Stansfield (905)

The onus should be on Local boards and the Governing Body resolving issues themselves, rather than relying on external parties to referee disputes. Consider including a duty to cooperate. Further consideration should be given to whether all disputes are referred to the Local Government Commission as an independent arbiter.

Kaaren Goodall Committee for Auckland (265)

Omit (1) (b) and (c) so that dispute resolution does not apply to disputes about local board agreements or about decisions to refuse proposed bylaws. Also, insert a new provision that enables the governing body to make the final decision about what matters to include in a local board agreement or a bylaw.

Auckland City Council (545)

The provision of a process to resolve disputes is an insufficient response to the lack of allocation of powers and responsibilities to Local boards in this Bill.

Local Government Forum (877)

Many disputes will be budgetary and the tight time frames of these processes will not give time for the disputes process to work. Also this could result in budgets being set by a small group of officials appointed by the government. This represents an unacceptable intrusion of the Government into a realm that is the internal operation of local government. Remove clauses 77-79.

Local Government New Zealand (543)

The Auckland Council should carry the full cost for any disputes that arise with local boards. While the intention of this section is useful in terms of providing a perceived neutral arbiter, local boards in dispute may be forced to unacceptable compromises because of possible unknown cost implications impacting on local board budgets. The Board recommends that the Auckland Council carry the full cost for any disputes that arise.

Mangere Community Board (885)
It is suggests that where a dispute has to go to arbitration the costs for such action should be borne by the Auckland Council out of the City General Pool rather then from the limited Board resources.

Manurewa Community Board (951)

Amend the Bill to clarify a time-frame for resolving disputes and to ensure that dispute resolution costs are not apportioned to local boards.

Manukau City Council (957)

The intention of this section is useful in terms of providing a perceived neutral arbiter. Local boards in dispute may be forced to unacceptable compromise because of possible cost implications in terms of the unknown costs that would impact on local board budgets. As it is proposed that Local board members will be more directly accountable and answerable to their communities, any compromise reached (or decision made by the LGC) in settling a dispute may raise greater conflict within local communities and impact on locally elected members. Where a dispute has to go to arbitration the costs for such an action should be borne by the Auckland Council out of the City General Pool rather than from the limited Board resources.

Manurewa Community Board (800)

Supports. Possibility of it being used as a threat? Funding needs to be allocated to avoid access being denied by either party.

Maurice Hinton (78576)

Imperative that the dispute resolution of the significant issue is prompt and the decision is still relevant (e.g. timing issues, in particular with the regards to LTCCP and Annual Plans). The dispute resolution process does not relate to CCOs and local boards which needs to be remedied.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

Six years is too long too address anomalies arising out of the truncated initial set-up process by the Local Government Commission. The dispute resolution process must be impartial and therefore it is imperative that the final arbiter is seen by both parties as being independent and fair. The process must also be prompt. A significant concern is that the dispute resolution process does not apply for disputes between Local boards and CCOs.

New Zealand Community Board Executive Committee (878)

Any disputes need to be heard by all Commissioners and not by delegation.

Onehunga Business Association (721)

Supports but concerned that the LGC should be sufficiently resourced to ensure the timely resolution of disputes.

Papatoetoe Community Board (199)

Would like to see a similar clause for a disputes process between CCOs and Local boards. CCOs should be required to consider the wishes and values of varying communities as expressed by Local boards and to incorporate these wishes and values into their ten-year plans.

Sue Fitchett (846)

Sections 77-79 do give an appropriate Board-Council dispute resolution role to the Local Government Commission so that they are treated equally and independently and is supported.

Tamaki Community Board (195)
Auckland District Council of Social Services (907)

Support - do give an appropriate Board-Council dispute resolution role to the LGC so that the Council and the Board are treated equally and independently of them.

The Labour Local Government Sector Council (958)

The scope of the dispute resolution provisions needs to include the Council, local boards and all CCOs. The processes need to empower people, bodies, agencies, and entities to work collegially towards speedy and timely dispute resolution. Section 77 should be amended by the inclusion of two new subsections before subsection (1). See original submission for details of the substantive amendments proposed.

Waitakere City Council (194)

**Keyword: 78 Local Government Commission to determine disputes**

It is disappointing that under proposed clause 78, the Local Government Commission is not obliged to meet with the parties before reaching its determination on any dispute about allocation of decision-making responsibilities, proposed bylaws, or local board agreements. This is against open government.

Eastern Bays Community Board (823)

Include in Clause 45(78) (4)) provision of contingency funding for Local boards for costs incurred in taking dispute proceedings. See original submission for further details.

Howick Community Board (078)

Questions if the current Commission has enough knowledge of grass roots democracy and understanding at the neighbourhood level. Imperative that the dispute resolution is timely and the decision is still relevant.

John G Riddell Massey Community Board (192)

The Bill should detail dispute procedures and mechanisms for ensuring priority is given to local opinion in resource allocation and Spatial Planning.

John M Stansfield (905)

Whether the make up of the Local Government Commission affords enough knowledge of grass roots dynamics and understanding at the real local community level may be questioned.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

Provision required to allow for financial assistance to be given to local boards in order to fund disputes resolutions.

Otara Community Board (203)

Support - do give an appropriate Board-Council dispute resolution role to the LGC so that the Council and the Board are treated equally and independently of them.

The Labour Local Government Sector Council (958)

**Keyword: 79 Local Government Commission may delegate duty to determine dispute**

Any disputes need to be heard by all Commissioners and not by delegation.
Onehunga Business Association (721)

**Keyword: 80 Development contributions for transport infrastructure**

Propose that clause is amended to require Auckland Council to transfer development contributions to Auckland Transport to part fund transport infrastructure expenditure.

Greg Marr - Alethica Ltd (144)

The cost of infrastructure associated with managing the growth of Auckland should be spread over the entire city, with the local natural growth being covered as is at present.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

The provision in the bill empowering Auckland Transport to impose development contributions should be deleted. Development contributions should not be extended to fund spending undertaken by CCOs.

Local Government Forum (877)

Delete sub-clause 3 so that Auckland Council is responsible for the setting and collection of development contributions which it may use to recover the growth related costs otherwise borne by ratepayers.

Manukau City Council (957)

**Keyword: 81 Development contributions for assets managed by other parties**

Propose that the words "For the avoidance of doubt" are at the beginning of clause. Recommend that clause refers to "council-controlled" reserves, network and community infrastructure, rather than "council-owned:" reserves, network and community infrastructure.

Greg Marr - Alethica Ltd (144)

Amend to provide that the Auckland Council can require development contributions for capital expenditure incurred by CCOs, and, where relevant, that the council must pass those development contributions on to the relevant CCO, which must use the development contributions for the purposes for which they were collected. Provide that no tax obligations will arise from any transfer of development contributions from the Auckland Council to any of its CCOs. As the issue is who incurs the capital expenditure, omit the words "council owned".

Auckland City Council (545)

Amend clause to include roading financial contributions.

Manukau City Council (957)

Some assets will transfer to Watercare and will no longer be "owned" by Auckland Council, while other assets will only be managed by Auckland Transport. Asset ownership is not aligned. Section 81 should be reworded, see submission for detail.

Rodney District Council (976)

**Keyword: 82 Prohibition on establishment of community boards**

Should be able to adapt and modify systems as needed. For further information please refer to the original submission.

Jonathan Godfrey (705)

Allow for a democratic structure at an even more local level than Local boards.
Sigrid Shayer (538)

**Keyword: 83 Review of representation arrangements under the Local Electoral Act 2001**

Government has been unable to prove that the proposed boundaries and composition of wards and local boards are what residents want. A freeze on changes is anti-democratic.

Bill Leonard (217)

Auckland Council should be allowed the freedom to determine when a review of representation arrangement is appropriate - within the constraints of the Local Electoral Act 2001.

Botany Community Board (950)

Supports.

Brian and Sue Oakes (227)

The ward boundaries for the Auckland Council need to be reviewed by the Local Government Commission as the different size of population from ward to ward is undemocratic.

Carol Symington (024)

Changes should be able to be made prior to 2013 if deemed necessary.

Chris Everitt (9766)

Residents should be able to make changes they see are appropriate.

Clive Teare (901)

This restricts the right of communities and residents to make decisions on governance of their areas.

Community Waitakere Charitable Trust (253)

The proposed ward boundaries will create imbalances in representation, e.g. West Auckland has a higher population than Rodney but will have the same number of elected representatives.

Don and Noreen Clark (944)

Imbalance in votes between Rodney and Waitakere compounded by no review until 2013.

Dr Alison Towns (320)

Undemocratic as review will take place after 2013 and Waitakere is disadvantaged.

Residents should be able to change ward boundaries, the number if ward representatives and local board boundaries before 2012.

Dr Rosemary Hope Lovell-Smith (106)

Oppose wording as it locks into place ward boundaries until after 2013 elections. Consultation to review ward / board boundaries should be no later than 18 months after Auckland Council takes office.

Eden Albert Community Board (162)
Review of representative arrangements should ensure that local board members represent between 5000 - 7000 electors. Local board members role and responsibilities should be subject to review by their electors. Auditor General must ensure that the new Auckland Council structure delivers saving of 15 per cent on existing arrangements. The Auditor General's report must be made public as soon as presented to the Auckland Council. Auditor General must ensure that rates do not increase more that CPI.

Edward Exton Fletcher (275)

The current ward boundaries, number of ward representatives, and local boundaries must be maintained until after the 2013 election.

Elaine Dyer (048)

Elected councillors should be able to appoint directors of Auckland Transport. Mana whenua representatives should be elected by local iwi. Mana whenu representatives should sit on Auckland Council and have right to speak on any issue that affect the tangata whenua. The Auckland Council should be obliged to follow their recommendations.

Genevieve Utting (060)

Oppose as it locks into place ward boundaries until after the 21013 election. Consultation on ward boundaries should take place with the public during every electoral term no later than 18 months after the Auckland Council takes office, with the intention that alterations can be put in place in time for the following local body election.

Glenfield Community Board (163)

Opposed. Given the increase in population expected over the next three years, local board representation should change before 2016 election.

Henderson and New Lynn Community Boards. (166)

Changes should be able to be made at any stage according to the wishes of Aucklanders.

Hilltrud Grueger Springleigh Residents Association (542)

Jane Gilmour (062)

We must have fair representation in urban areas - Councillors should represent equitable numbers of people.

Janice Fiddes (010)

Opposed to Rodney district being amalgamated into Auckland Council, and therefore oppose moratorium on reorganisation until after 2013 triennial election.

Jim Farnell and Jo-ann Farnell (074)

Representation review completed after 2010 election and implemented for 2013 election.

Joanna Van Den Bergen (700)

Allow an aggrieved community of interest and or similar communities of interest to put their case and seek a remedy before the 2013 local government elections.

John G Riddell Massey Community Board (192)

Allow an aggrieved community of interest and or similar communities of interest to put their case and seek a remedy before the 2013 local government elections.

John G. Riddell (888)
Local Government (Auckland Law Reform) Bill

Make it a requirement that all candidates disclose on their electoral returns the full name and physical address of any person or group making a donation to their campaign over $100.

John Watson (365)

Opposed to the removal of the right to vote for Single Transferrable Vote.

Jon Randall Farrant (355)

Julie M Gould (069)

Electoral review should be available at any stage according to the wishes of Aucklanders.

Karen Brown (7674)

Amend 83(3) to provide that the Local Government Commission may change the number of local board members or alter the subdivision within a local board area, and in making such decisions, the Commission must take into account the matters set out in section 34(2) of the Local Government (Auckland Council) Act. Also amend clause 59 and the proposed section 83(3) to allow representation arrangements to be changed before 2013 if significant changes occur.

Auckland City Council (545)

Remove clause.

Kath Dewar (702)

Bring forward review date.

Lawrence Carter (2544)

Residents must have the right to make changes as we determine appropriate.

Linda Kaiou (071)

Residents should retain the right to seek a reorganisation of ward boundaries, the number of ward Councillors and local boards.

Lisa Er (964)

Local communities should be able to change the ward boundaries.

Lydia Sosene (1228)

Maire Leadbeater (914)

This Bill would remove democratic rights of equal votes and equal representation.

Margaret Bijl (912)

Oppose the retention of current boundaries for two electoral cycles as these boundaries have split communities and failed to take into account the views of those communities.

Marina Kokanovic (099)

This clause is designed to remove democratic process.

Mark Crossley (816)

There does not appear to be any logic to the boundaries at present. Any system can be improved on and this
clause should be amended to allow positive changes to be made if the need arises.
Mary-Ann de Kort (822)

Allow for an aggrieved community of interest and/or other similar communities of interest to put their case and seek a remedy to be in place for the 2013 local government elections. Recommends an addition to clause 83 (pg 58/59) that would provide for a review and if necessary a change in membership numbers on Local boards 18 months (ie after 30th April 2012) any change to be effective for the 2013 elections.

Mike Cohen Auckland Region & Far North Community Boards Inc (510)

It is essential that there are provisions for the system to be improved either by additions or alterations to the existing ward boundaries and number of ward representatives.

Mona and Bill Townson (093)

Nadine McDonnell (937)

Six years is too long too address anomalies arising out of the truncated initial set-up process by the Local Government Commission. The dispute resolution process must be impartial and therefore it is imperative that the final arbiter is seen by both parties as being independent and fair. The process must also be prompt. A significant concern is that the dispute resolution process does not apply for disputes between Local boards and CCOs.

New Zealand Community Board Executive Committee (878)

The people of Papakura, Rodney and Franklin should have more say in boundary setting and representation decisions.

Nigel Vaughan Smith (084)

A Referendum should be held to determine the wishes of the people.

Northern Amalgamated Workers Union (934)

Councillors will be representing far too many constituents - submitter suggests more councillors and smaller wards. There should be no restriction on democratic rights.

NorthWestern Community Association (936)

Will have an impact on the bureau, organisation and community.

Otara Citizens Advice Bureau Inc (826)

Proposed ward boundaries and representation are undemocratic.

Pam Sellers (524)

Won't enable demographic changes to be taken into account.

Pamela Mills (519)

Residents should be able to make changes they see as appropriate and not have to wait until the 2013 elections.

Patricia M Reade (926)

The clause is unnecessary, because these issues are dealt with under the Local Government Act. To exclude rights extended by the Local Government Act is contrary to the Principle of Law and therefore unacceptable. This clause withholds rights from one third of New Zealanders for three years because they live in Auckland. In that period of time the balance of New Zealanders have these rights.
Patrick Thoroughgood (834)

Ignores what might be the wishes of the residents.

Peter Friedlander (104)

Current ward boundaries, number of ward representatives and local board boundaries should be able to be changed at any stage.

Peter Thomson (717)

Current ward boundaries, number of ward representatives, and local board boundaries should be able to changed at any stage according to the wishes of Auckland.

Phil Chase (718)

Oppose. Should be able to make changes as it sees appropriate.

Pippa Coom Grey Lynn 2030 (293)

Auckland residents should be able to make changes to the wards boundaries as soon as they wish.

Prue Elvidge (1207)

Aucklanders should be able to propose reorganisation, voting system before 2013.

Romy Udanga (630)

Could potentially create problems with overbalanced wards in the 2013 election. The government should instead just rely on the Local Government Act 2002 for these provisions and allow Auckland the same right as any other region.

Princes Street Branch, New Zealand Labour Party (837)

Councillors will represent twice the number of people as a Member of Parliament.

Ruth Gordon (919)

Have regard to the wishes of local residents.

Simon Griffiths (539)

Support local residents wishes in respect of current ward boundaries and representatives.

Steve Marshall (844)

The first review of representation arrangements should be permitted during the Council's first term and be required no later than 2015. For completeness, an (h) (iii) should be added to include whether additional Local boards should be created, merged or reshaped, boundaries changed or the numbers of board members overall or from a subdivision or subdivisions changed.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

Ward boundaries have been imposed without any consultation until 2013.

Te Atatu Peninsula Business Association Inc (940)
The Bill removes the democratic right of the people of Auckland and their representatives to review their representation arrangements or initiate reorganisation proposals. It is important the ward boundaries, local board boundaries and number of local representatives can be reviewed and amended at any time to eliminate weaknesses or issues with the current arrangements. The proposed ward boundaries are highly unfair, and votes in Auckland central and Waitakere wards count significantly less than those in the rural wards. This clause should be amended to allow a review to be conducted at any time (or even as soon as possible in the first term of the Council).

Tet Woo Lee (849)

The first review of representation arrangements should be permitted during the Council's first term as there are likely to be some boundaries that prove unsuitable and be required no later than 2015. For completeness, a (h) (iii) should be added to include whether additional local boards should be created merged or reshaped, boundaries changed or the number of board members overall or form a subdivision or subdivisions changed.

The Labour Local Government Sector Council (958)

This imposes the arrangements made of the elections in 2010 on Auckland communities until at least the 2013 election, and is unfair and contrary to democratic principles. It is essential that the Auckland Council has the same ability to determine ward boundaries, etc, as any other local council. The word '2013' in this clause should be amended to read '2010'.

Thomas Walter Harvey (850)

Unrealistic that there can be no change until after the 2013 election.

Trevor G Bridge (119)

Section 83 ignores what might be the wishes of the residents.

Veronica Friedlander (120)

Aucklanders themselves, via our locally elected representatives, should be able to amend the structure of our own city governance.

William Moore (871)

Generally opposed

A Young (742)

Aidan Burch (142)

Alastair Jamieson (143)

Alex Lanning (145)

Auckland Regional Council (916)

Audrey van Ryn (151)

Bryan Parris (006)

Carol Scott (087)

City Vision (247)

Daniel Findon and Catherine Murray (259)

Danielle Romanes (266)
Local Government (Auckland Law Reform) Bill

The Bill should specify the frequency, duration and focus of audit reviews as well as public consultation processes.

Auditor General must ensure that the new Auckland Council structure delivers saving of 15 per cent on existing arrangements. The Auditor General's report must be made public as soon as presented to the Auckland Council. Auditor General must ensure that rates do not increase more than CPI.

The Auckland Council, the Local boards and the chief executive be required to cooperate and contribute to intersectoral initiatives. Preferably this would be achieved through a requirement to report as part of the Auditor General's expanded role with respect to Auckland Council. Alternatively, this could be achieved through a requirement within the accountability documentation and Chief Executive's performance agreement.
Eriata Peri Auckland Public Health Service (185)

Reviews of the Auckland Council should be against desired performance, outcomes achieved as well as financial performance.

Forum for Auckland Sustainable Transport (292)

An Ombudsman's Office should be created to provide an annual review of Councillor performance and to deal with public complaints.

Grey Power North Shore Inc. (296)

The service performance of the CCOs should not be reviewed "from time to time"; the reviews should be conducted at a minimum of every 2 years.

Grassroots Action Group (973)

Proposes that the Bill adds a mandatory Mayor of Auckland's "Progress on Auckland's Vision" address which describes measured progress toward attaining the Mayor’s Vision and the Auckland Plan.

Kaaren Goodall Committee for Auckland (265)

CCO directors should have a range of appropriate skill sets and expertise, including into communities and cultures, business acumen and be socially and environmentally responsible. Reviews of the Auckland Council should be against desired performance, that is, outcomes on the ground, as well as financial performance.

Living Streets Auckland (875)

Remove or amend clause to so that requirement is not overly demanding and costly; include a review period. Refer to submission for further detail.

Manukau City Council (957)

To avoid "we only report what we can measure", define the function of the Auditor General review to include the effectiveness of the Auckland Council or CCOs performance. Insert: "(2) The function of a review is to examine whether the Council and each of its CCOs, is carrying out its activities effectively and efficiently, using both internal and external customer or community measures, the use of best practice approaches and means for on going improvement, and the contribution toward delivery of adopted goals and outcomes."

A provision requiring the Auditor General to give weight to any request from the public for a review would strengthen this public accountability mechanism. Insert: "(6) (a) a written request for a review of the service performance of the Council or any of its CCO may be made by any person, to the Auditor General. (b) On receipt of such a request the Auditor General must give consideration proceeding but has the discretion to decide not to undertake such a review and shall inform the person who made the request of that decision, and state the reasons for this."

Peter McKinlay Institute of Public Policy (368)

There should be full Auditor-General reviews of Council and CCO performance. Water and transport are core services and should be incorporated into Auckland Council. There needs to be more ratepayer oversight and involvement in CCOs.

Stephen Moore (124)

Suggests that the Auditor-General develop and annually review specific levels of service and performance targets for the water organisation, having regard to international best practice.

The New Zealand Water and Wastes Association (127)

Regular reviews need to be included in legislation and public consultation needs to be a part of this process.

Titirangi Ratepayer and Residents Association (730)
The review brief of the Auditor-General should be wider. It is important that the implementation of the governance reforms is measured and assessed in order to establish that improvements have been made and continue to be made. Section 84(1) should be amended to read: “84(1) The Auditor-General must, before 1 January 2014 and from time to time, review the improvements in service performance, cost effectiveness, value for money, and the policy performance of the Council and each of its council-controlled organisations.”

Waitakere City Council (194)

CCO directors should have a range of appropriate skill sets and expertise, including into communities and cultures, business acumen and be socially and environmentally responsible. Reviews of the Auckland Council should be against desired performance, that is, outcomes on the ground, as well as financial performance.

Walk Auckland Inc (861)

**Keyword: 85 Council employee elected to local board must resign before taking up position**

No submissions were received on this new section.
Clause 46 New Schedules 2 and 3 added

No submissions were received on this clause.
Part 3 Amendments

Reference to 'savings' made in title of Part 3 - clause needs to be added to this section detailing the savings referred too.

Edward Exton Fletcher (275)
No submissions were received on this clause.
Clause 48: Repeal of Auckland Metropolitan Drainage Act 1960

No submissions were received on this clause
Local Government (Auckland Law Reform) Bill

Clause 49 Repeal of Local Government (Auckland) Amendment Act 2004

Keyword: Other Comments

Auckland Regional Council recommends that clause 49(2) (d) is deleted, allowing the status of Auckland Regional Holdings to be resolved through the Auckland Transition Agency process, which will provide a mechanism for the transfer of assets and liabilities as required.

Auckland Regional Council (916)

This clause states that Auckland Regional Holdings will continue as a CCOs of the Auckland Council but it does not contain any mechanism to enable this clear intention to be implemented. An amendment to this clause is suggested.

Auckland Regional Holdings (050)

Auckland's assets should remain in public ownership. The new Auckland Council should be required to follow a consultative process, as contained within section 28 of the LGAA, for any proposed sale or privatisation of Council owned or council controlled assets or services.

Massey Matters (814)

It has been the Council's experience that Schedule 5 of the Local Government (Auckland) Amendment Act 2004 provides a useful guide to achieving integration of transport and land use planning in the Auckland region. In the early stages of developing a Spatial Plan for Auckland, it would continue to provide guidance. Suggest amendment to clause 49 to have Schedule 5 continue in force and that it must be taken into account in preparing a Spatial Plan for Auckland. Sections 38-43 of the LGAAA and its Schedule 5 relate to Plan and Policy Statement changes which are still live, and should be retained in order to give certainty to process and scope. Clause 49 should be amended appropriately.

Waitakere City Council (194)

Keyword: Oppose

Auckland's assets should remain in public ownership.

North Shore Community and Social Services (830)

Opposed to asset sales.

Ian Gordon (502)

Submitter is opposed to sale of public assets. Any potential sale by Auckland Regional Holdings of its shares in the Ports of Auckland it should be tied to reducing the transition costs to ratepayers.

John Kirikiri (909)

Opposed to sale of Ports of Auckland.

John Railton (5135)

Opposed to sale of Ports of Auckland.

Jon Randall Farrant (355)
No public assets should be privatised without a referendum to the public of Auckland.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

Opposed to sale of Ports of Auckland Ltd.

Lawrence Carter (2544)

Opposes this clause as it will facilitate the privatisation of Ports of Auckland.

Alistair Gillies (147)

Auckland assets to remain in public ownership.

A Young (742)

Opposes as this paves the way for privatisation of Ports of Auckland, a significant strategic asset.

Aidan Burch (021)

The provisions of section 28 of the Local Government (Auckland) Amendment Act 2004 must be retained.

Allen Davies (148)

Suggests a general provision that requires a binding referendum be held to approve the sale of shares in any direct or indirect subsidiary of the Auckland Council any fixed assets or assets actively used to maintain infrastructure over a set threshold (e.g. $1,000,000).

Andrew Miller (018)

The current restrictions on any proposed sale of local body shareholding in the Ports of Auckland should be maintained.

Anne Priestley (154)

Auckland Regional Council recommends that any change to the representation on regional land transport committee be undertaken as part of changes to the Land Transport Management Act rather than through the Auckland governance reform process.

Auckland Regional Council recommends that the Bill is amended to ensure that strategic assets can only be sold following public consultation.

Auckland Regional Council (916)

Public ownership of the Ports of Auckland Ltd must be maintained; even strengthened.

Bill Leonard (217)

Oppose removal of referendum before Ports of Auckland sold. Elected representatives should always have the right to determine the structure and ownership of Watercare Services Ltd.

Dr Catherine Harvey (273)

Retain section 28.

Barbara Lucy Baragwanath (216)

Bera MacClement (218)

Concerned that repeal may lead to Ports of Auckland being sold.
Betty Mather and Eric Mather (059)
This will facilitate the privatisation of Ports of Auckland. Supports a savings provision to retain Section 28 of the Local Government (Auckland) Amendment Act 2004.

Bryan Parris (006)
Repeal of the Local Government (Auckland) Amendment Act 2004 facilitates the privatisation of the Ports of Auckland to the detriment of the people of Auckland.

Carol Scott (087)
Opposed as it removes protections from the sale of Ports of Auckland.

Carol Symington (024)
Removes need for referendum regarding the Ports of Auckland.

Caroline Mabry (233)
An Auckland-wide referendum must be held if the ports are to be sold.

Clive Teare (901)
Community Waitakere Charitable Trust (253)
Removes the right for the public to engage in a referendum before Ports of Auckland can be sold.

Coralie van Camp (035)
Proposes that Section 28 of the Local Government (Auckland) Amendment Act 2004 be retained.

D Hodges (045)
Opposed to privatisation of water services, ports and transport.

Don and Noreen Clark (944)
Donna Wynd and David Benson (100)
Dr Alison Towns (320)
Dr John Salmon (037)
The Ports of Auckland must remain in public ownership, protections for the ports is removed by this legislation.

Dr M Dale (902)
Dr Paul Cullen (321)
Dr Ry Tweedie-Cullen (219)

Drama Magic Ltd (019)

Elaine Dyer (048)
The Local Government Act requirement that ratepayers have a say in whether Ports of Auckland can be sold
is repealed. These are important assets that Auckland City should own and Aucklanders should be consulted about.

Elisabeth Laird (281)

There should be no further moves to enable privatisation of community assets nor any other public assets, such as water.

Elisabeth Van Alkemade (279)

Supports retention of Section 28 of the Local Government (Auckland) Act 2004

Elizabeth Jane Worley (283)

Any significant asset should not be able to be privatised without a referendum.

Emily Smith (286)

Fiona Johnston (978)

Ports of Auckland should not be privatised.

Genevieve Utting (060)

Should be deleted.

Geoffrey John Beresford (350)

Gleen Boyd-Criag (277)

Oppose sale of public assets. Future ownership of assets should be the decision of the Auckland ratepayers, not the Government. A legally binding poll needs to be held before any change in asset ownership is decided.

Grassroots Action Group (295)

Sale of public assets should only be possible following a legally binding poll.

Grassroots Action Group (973)


Guy Bibby (077)

Harry Russell Haley (115)

Concerned about the repeal of the requirements of section 28 of the Local Government (Auckland) Amendment Act 2004, noting the apparent future agenda for the privatisation of Council-owned assets without the need for public consultation.

Henderson Valley Residents Association (803)

Section 28 of the Local Government (Auckland) Amendment Act 2004 should be retained to ensure the Ports of Auckland is not privatised.

Ian A Gould (066)

Ports of Auckland should remain in public ownership.

Ian and Barbara Dutton (747)
Bill opens the way for privatisation of assets. Ports of Auckland must be protected as must our water.

Individual One (257)

Individual Submitter 10 (966)

Individual Submitter 8 (968)

Individual Submitter 9 (967)

Concerned about privatisation of Ports of Auckland.

Jane Gilmour (062)

This Bill opens the way for privatisation of the Ports of Auckland by removing existing protections requiring an Auckland-wide referendum before the Ports can be sold. Oppose these provisions on the grounds that Aucklanders have been very clear about their desire to see Auckland assets remain in public ownership.

Janice B Cruickshank (373)

Janice Gardiner (075)

The Bill as it stands removes protections currently in place which require that any privatisation of the Ports of Auckland occurs only after an Auckland-wide referendum. The removal of these provisions is unconscionable. Aucklanders have been clear about their desire to see the Ports of Auckland publicly owned.

Jeffery Ronald Saunders (370)

Supports retention of Section 28 Local Government (Auckland) act 2004 to retain public ownership of the Ports of Auckland.

Jerome Nicholas Partington (068)

Oppose the repeal of Local Government (Auckland) Amendment Act 2004 as it opens the way for privatisation of Ports of Auckland.

Jim Farnell and Jo-ann Farnell (074)

Ports of Auckland should not be privatised.

Jo Robinson (903)

John A Haywardy (906)

John M Stansfield (905)

This Bill opens the way for the privatisation of the Ports of Auckland by removing existing protections requiring an Auckland-wide referendum before the Ports can be sold. Oppose this provision on the grounds that Aucklanders have been very clear about their desire to see Auckland assets remain in public ownership.

John N. Sloane (808)

Want to ensure Ports of Auckland is not privatised.

Julie M Gould (069)

Opposed to changes in the Bill that remove restrictions on the sale of regional assets like shares in the Ports of Auckland.

Kayla Mackenzie-Kopp (806)
Kim Walker (908)
Ratepayers should be allowed to determine if Ports of Auckland should be sold.

Kris Burrows (072)

Leaf Burrows (020)
Opens the door to privatisation of Ports of Auckland with a referendum of the people of Auckland.

Len Richards (609)

Levent Okay (011)
Auckland assets must remain in public ownership.

Linda Kaiou (071)

Lisa Er (964)

Maire Leadbeater (914)

Manfred Staab (012)
This proposal is designed to remove democratic process and allow for privatisation of a valuable public asset. This asset should remain in public hands.

Mark Crossley (816)
Opposed to any the repeal of any clause which opens the way to privatisation of the Ports of Auckland.

Martin and Sheila Hayes (013)
Consider this clauses opens the way to privatisation of the Ports of Auckland.

Martin and Sheila Hayes (089)

Nadine McDonnell (937)
Oppose removing existing protections that require a referendum before the Ports can be sold.

Nevine Tawfik (831)

Noreen Prudence Giles (094)

Northern Amalgamated Workers Union (934)

NorthWestern Community Association (936)

Restrictions on the sale of the shareholding in Ports of Auckland by Auckland Regional Holdings be retained.

Owen and Joy Lewis (103)
Pam Sellers (524)
Ports of Auckland should remain in public ownership.

Patricia M Reade (712)
Ports of Auckland should not be privatised.

Patrick Doherty (833)
Peter Aimer (931)
Peter Bartlett (928)

Peter Friedlander (104)
Retain section 28 of the current Auckland Local Government Act - retain Ports of Auckland in public ownership.

Peter McCurdy and family (810)
Supports the inclusion of a section that has the same effect as Section 28 of the Local Government (Auckland) Amendment Act 2004 restricting the sale of Ports of Auckland

Philip Jones (015)

Pippa Coom Grey Lynn 2030 (293)
Opposes privatisation of Auckland's strategic assets.

Princes Street Branch, New Zealand Labour Party (837)

Rebecca Potts (097)
Removes the restrictions on any potential sale of the Ports of Auckland.

Richard Challis (923)
This clause allows for the eventual sale of the Ports of Auckland which is a key strategic asset and should remain owned in part by the city of Auckland.

Robin Campbell (0114)
Auckland's assets must not be privatised but stay in public ownership.

Robin Linda Duke (840)
The provision requiring an Auckland-wide referendum to approve the sale of the Ports of Auckland should be retained.

Robyn Laing (091)
Roger and Joanna Booth (098)
Sandro Kopp (546)
Scott Griffiths (947)
Support that section 28 of the Local Government (Auckland) Amendment Act 2004 be retained.

Sheila Pritchard (123)
ShoreSafe (935)
Sigrid Shayer (538)
Sue Fitchett (846)

See original submission for more detail.

Susanne Vincent (726)

No public assets should be permitted to pass out of public control.

Te Atatu Peninsula Business Association Inc (940)
Te Ora o Manukau (942)

The Bill repeals the existing provision preventing a sale of the ports of Auckland unless agreed upon by an Auckland-wide referendum. Amendments to the current bill should be made to ensure that all strategic assets of the Auckland region require a referendum prior to being sold.

Tet Woo Lee (849)

The Aucklander (130)

The existing requirement that an Auckland-wide referendum is conducted before the sale of Ports of Auckland and other assets should be retained.

Three (893)

No change in ownership should be permitted without a binding poll by ratepayers.

Titirangi Ratepayer and Residents Association (730)

Toa Greening (556)


Tracey Ann MacLeod (126)

Against the sale of publicly-owned property.

Trevor G Bridge (119)

The Ports of Auckland must remain in public ownership.

Val Wynd (854)

Veronica Friedlander (120)

Wendy John (868)

Council should be prevented from selling the Ports of Auckland without explicit consent from Aucklanders in a referendum. The restrictions on selling the Ports should remain.

William Moore (871)
The future ownership of these assets should be the decision of the Auckland ratepayers, not the Government. A legally binding referendum needs to be held before any change in asset ownership can be decided.

YouSay NZ (136)
Yvonne Matheson (547)

**Keyword: Support a savings provision to retain section 28 of the Local Government (Auckland) Amendment Act 2004**

Adrian Pryor (140)

Opposes as this paves the way for privatisation of Ports of Auckland, a significant strategic asset.

Aidan Burch (021)

Alastair Jamison (143)

Clause opens the way for privatisation of Ports of Auckland. Clause should require that proposals to sell Ports of Auckland to be decided by a referendum.

Alex Lanning (145)

Auckland Regional Council recommends that any change to the representation on regional land transport committee be undertaken as part of changes to the Land Transport Management Act rather than through the Auckland governance reform process.

Auckland Regional Council recommends that the Bill is amended to ensure that strategic assets can only be sold following public consultation.

Auckland Regional Council (916)
Audrey van Ryn (151)

Avondale - Roskill Residents Association (ARRA) (205)
Bera MacClement (218)

Concerned that repeal may lead to Ports of Auckland being sold.

Betty Mather and Eric Mather (059)
Brian and Robin Griffiths (226)
Bryan Parris (220)
Catherine Lee (236)
Child Poverty Action Group (244)
Chris Everitt (976)
Christine Ross PSA (550)
Clare Davies (246)
Community Waitakere Charitable Trust (253)
Daniel Findon and Catherine Murray (259)
Danielle Romanes (266)
Dave Breur (268)
Denise Roche (263)
Donna Wynd and David Benson (100)
Dorte Wray (260)
Dr Alison Towns (320)
Dr Ry Tweedie-Cullen (219)
Eden Albert Community Board (162)
Elaine Dyer (048)
Fiona Johnston (978)
Ports of Auckland should not be privatised.
Genevieve Utting (060)
Grant La Hood (748)
Harry Russell Haley (115)
Hilary Jones (543)
Hilltrud Grueger Springleigh Residents Association (542)
Oppose sale of Ports of Auckland.
Huhana Davis (061)
Individual Six (549)
Individual Submitter 10 (966)
Individual Submitter 8 (968)
Individual Submitter 9 (967)
Oppose the repeal of Local Government (Auckland) Amendment Act 2004 as it opens the way for privatisation of Ports of Auckland.
Jim Farnell and Jo-ann Farnell (074)
John and Barbara Lusk (34345)
Want to ensure Ports of Auckland is not privatised.
Julie M Gould (069)
Juliet Yates (805)
Karen Brown (774)
Kath Dewar (702)
Levent Okyay (070)
Lisa Er (964)
Lucy Hawcroft (555)
Luis Lachica (723)
Lydia Sosene (128)
The citizens of Auckland should continue to be able to decide if their assets are sold.
Mary-Ann de Kort (822)
Megan Vertelle (724)
Michael Andreasen (1201)
Nadine McDonnell (937)
Natasha D F Sirett (1203)
Neil Miller (522)
New Zealand Council of Trade Unions (512)
Ports of Auckland should not be privatised without a referendum.
Noreen Prudence Giles (1202)
Northern Amalgamated Workers Union (934)
NorthWestern Community Association (936)
Pamela Mills (519)
Three year moratorium.
Papatoetoe Community Board (199)
Patricia M Reade (926)
Peta Joyce (526)
Peter Bartlett (928)
Peter Friedlander (930)
Peter McCurdy (530)
Peter Thomspon (717)
Phil Chase (718)
Pippa Coom Grey Lynn 2030 (293)
Opposed to the privatisation of Ports of Auckland.
Prue Elvidge (1207)
An amendment is required to save section 28 of the Local Government (Auckland) Amendment Act, which prevents the sale of Auckland Regional Holding’s shareholding in Ports of Auckland. Aucklanders very clearly want this asset retained in perpetuity.

The Bill repeals the existing provision preventing a sale of the ports of Auckland unless agreed upon by an Auckland-wide referendum. Amendments to the current bill should be made to ensure that all strategic assets of the Auckland region require a referendum prior to being sold.
Clause 50 Disestablishment of Auckland Regional Transport Authority

The transfer of wharves will be inconsistent as North Shore City Council own its wharves and so those assets will transfer to the new Auckland Council. However, wharves owned by the Auckland Regional Transport Authority will transfer to Auckland Transport.

Anthony Blom (004)

The disestablishment occurs too early - should occur after Auckland Transport is operational.

Edward Exton Fletcher (275)

Recommends amendment of this clause to set out ownership and control arrangements to provide for the consistent ownership transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets.

New Zealand Council for Infrastructure Development (949)

Oppose. See original submission for more detail.

Susanne Vincent (726)
Clause 51 Existing regional land transport programme and regional land transport strategy for Auckland continues in effect until 30 June 2012

Having the current Strategy and Programme remain in effect until 2016 and 2013 respectively will hamstring the efforts of the new Auckland Council to effect change in delivering transport services and investments. The current Strategy should be extended until 2012 to allow the new Council to prepare and consult on its own strategy.

Rodney District Council (976)

51(1) (b) add "or until a successor programme is approved by the Auckland Council" and to 51(2) add "or until a new strategy is adopted".

The Labour Local Government Sector Council (958)
Clause 52 Disestablishment of Auckland Regional Transport Network Limited

Recommends amendment of this clause to set out ownership and control arrangements to provide for the consistent ownership transfer of all transport assets (apart from land) to Auckland Transport and to ensure Auckland Transport has effective control of all transport assets.

New Zealand Council for Infrastructure Development (949)

Rodney District Council (976)
Local Government (Auckland Law Reform) Bill

Clause 53 Review of employment provisions

Keyword: Other Comments

Auckland Regional Council recommends that the Bill is amended to introduce a fair process for transferring employees by including a requirement that a transferring employees will transfer on the same terms and conditions unless they agree otherwise.

Auckland Regional Council (916)

Correct the drafting error so that the clause clearly states that staff who are transferred to the Auckland Council will be transferred on the same employment agreement, until a new agreement is negotiated.

Christine Ross PSA (550)

The legislation needs to be changed so that the provisions relating to staff transferring to the new organisations is consistent with the change management process developed by the ATA.

Papakura District Council (196)

Amend the section to read that ARTA and ARTNL employees become subject to exactly the same procedures as employees of existing local government organisations in Auckland. These procedures must include mapping and matching procedures.

Rodney District Council (976)

53(4)(c)(iii) add with respect to current council employees "any less favourable terms and conditions may not come into force until at least 6 months after an employee is transferred to the Auckland Council or one of its CCOs".

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

53(4)(c)(iii) add with respect to current Council employees "any less favourable terms and conditions may not come into force until at least 6 months after an employee is transferred to the Auckland Council or one of its CCOs or until 1 May 2011, whichever is the later”.

The Labour Local Government Sector Council (958)

Should be amended to reflect that there is no intention for a chief executive to make unilateral binding decisions in relation to the terms and conditions of staff who are transferred to the new organisations. See original submission for detail of proposed amendment to this clause.

Waitakere City Council (194)

Keyword: Oppose

The Bill should be amended to provide for existing Auckland Regional Transport Authority and Auckland Regional Transport Network Limited staff to be transferred directly to Auckland Transport.

Auckland Regional Transport Authority (ARTA) (186)
Keyword: Oppose

The Bill should be amended to provide for existing Auckland Regional Transport Authority and Auckland Regional Transport Network Limiteds staff to be transferred directly to Auckland Transport.

Auckland Regional Transport Authority (ARTA) (186)
Amend the heading of this section to "Obligations in relation to the 2009/2010 annual report". Refers to this year rather than 2010/2011.

Rodney District Council (976)
Clause 56  Collective bargaining before 1 November 2010 for variation or new collective agreement to come into force on that date

Keyword: Other Comments

Additional wording is required by way of (2) (c) to enable effective collective bargaining before 31 October 2010.

The relevant unions may initiate bargaining at any time notwithstanding that section 41 of the Employment Relations Act 2000 provides that they may not initiate bargain earlier than 60 days before the expiry of an existing collective agreement.

Christine Ross PSA (550)

Keyword: Supports

Stipulate that the provision of the Employment Relations Act continue to apply and that new employees will have the protections under section 62 of the Employment Relations Act.

New Zealand Council of Trade Unions (512)
Clause 57 Application of existing collective agreements on and from 1 November 2010

Amend (2) (b) to clarify that new employers will be bound by the collective agreement (wording suggested).

Christine Ross PSA (550)

Should apply to staff in Hauraki and Waikato District Councils.

Hauraki District Council (165)

The Auckland Transition Agency and new employers should be required to provide existing staff with current conditions.

John A Hayward (906)

Clause 57(4) is intended to limit the application of clause 57 to those collective agreements which have not been agreed under clause 56 processes. The wording is not clear.

Rodney District Council (976)
No submissions were received on this clause.
Clause 59 Prohibition on reorganisation of Auckland until after October 2013 triennial general elections

Keyword: Oppose

Opposed as the government has been unable to prove that the proposed boundaries and composition of wards and Local boards have been a direct result of collated opinion from the areas' residents and the freeze is anti democratic.

Bill Leonard (217)

The Local Government Commission has erred by creating one Devonport/Takapuna Board and by allowing for two Devonport and three Takapuna representatives, down from six under previous set-up. The Bill should provide an opportunity for the Devonport Peninsula to be able to put their case, seeking changes to the structure, to be in place for the 2013 local government elections.

Devonport Community Board (824)

The new ward boundaries are undemocratic and do not serve the interests of the various communities that make up Auckland. Should not have to continue to have these boundaries after the 2013 election. The newly elected council should have the ability to redraw the city boundaries to reflect the various communities of interest. The Hauraki ward should be extend to include the bulk of residential 1 heritage housing.

Gerard Hill (802)

Want to retain statutory rights to address the possible anomaly of part of Waikato District bisecting what will probably be the boundaries of Hauraki District.

Hauraki District Council (165)

Residents should be able to initiate a reorganisation scheme.

Hiltrud Grueger Springleigh Residents Association (542)

Oppose as it removes the rights of people to initiate a scheme.

John and Barbara Lusk (34345)

Rodney District Council has strong evidence that the majority of its citizens do not want to be part of the Auckland Council. To deny these people their right to due process via the LGC for over four years is an unacceptable denial of their democratic rights. However, a reasonable period needs to be allowed for the success, or otherwise of the amalgamation to become apparent. Council requests that the moratorium period be reduced to 18 months.

Rodney District Council (976)

Denies residents to right to initiate a reorganisation proposal under the Local Government Act 2002.

Aidan Burch (021)

This is against democracy and the rights of the people of Auckland to opt for change should be retained as in the Local Government Act 2002.
Allen Davies (148)
Suggests existing democratic processes be maintained.

Andrew Miller (018)
The option for Waiheke to leave the Auckland Council and join with Thames/Coromandel should remain open.

Andrew Watkins (040)
It prevents any reorganisation proposal for the Auckland Council being made until after the 2013 election.

Anne Priestley (154)

Audrey van Ryn (151)

Barbara Lucy Baragwanath (216)
delete this clause

Bera MacClement (218)
Clause should be removed as it undemocratically removes the ability of Auckland Council and its voters to determine their own structure.

Brian Van Dam (232)
This clause denies residents the right to initiate a reorganisation proposal that residents of any other local authority have under the Local Government Act 2002.

Bryan Parris (006)
This clause denies the right to initiate proposals for changes to Auckland until after the 2013 elections.

Carol Scott (087)
Child Poverty Action Group (244)
Should be removed from the Bill and residents be allowed to initiate a reorganisation scheme.

Chris Everitt (97656)

City Vision (247)

Craig Vincent Powell (264)

Daniel Findon and Catherine Murray (259)

Danielle Romanes (266)

Dave Breur (268)

Donna Wynd and David Benson (100)

Dorte Wray (260)

Dr Alison Towns (320)

Dr John Salmon (037)
Dr Paul Cullen (321)
Dr Ry Tweedie-Cullen (219)

Denies residents the right to initiate a reorganisation proposal that residents of any other local authority have under the Local Government Act 2002.

Drama Magic Ltd (019)

Edward Exton Fletcher (275)

Clause should be removed as it undemocratically removes the ability of Auckland Council and its voters to determine their own structure.

Eileen Van Dam (276)

Oppose as this clause denies residents the right to initiate a reorganisation proposal under the Local Government Act 2002.

Elaine Dyer (048)

There is no possibility of changing the electoral boundaries until after 2 elections (post the 2013 election). The wards being set up have huge differences in size with some being 25 per cent smaller than others, when in national elections a maximum of 10 per cent variation only is allowed.

Elisabeth Laird (281)

Fiona Johnston (978)

Should be deleted.

Geoffrey John Beresford (350)

George William Blanchard (053)

Grant La Hood (748)

Grassroots Action Group (973)

Guy Bibby (008)

GW Powell (979)

H Martin (355)

Harry Russell Haley (115)

Ian A Gould (066)

Individual Four (553)

All sections of the Bill that create obstacles to communities seeking to review ward boundaries or electoral system should be removed.

Individual Submitter 7 (965)

Individual Submitter 8 (968)

This clause denies the right to initiate a reorganisation proposal that residents of any other local authority have under the Local Government Act 2002.
Local Government (Auckland Law Reform) Bill

Jane Gilmour (009)

Jane Harris (401)

Janet Cole Community Coalition 4 Auckland (262)

This is undemocratic.

John Kirikiri (909)

Oppose as it is undemocratic.

Julie M Gould (069)

Juliette Laird (701)

Karen Brown (7674)

Kath Dewar (702)

Leaf Burrows (020)

Levent Okyay (011)

Lisa Er (964)

Lucy Hawcroft (555)

Maire Leadbeater (914)

Manfred Staab (012)

Margaret Baker (913)

The legislation should allow the provisions of the Local Government Act to apply.

Matthew McIvor (815)

Nadine McDonnell (937)

Neil Miller (522)

Opposed due to the haste in which the Auckland Council is being implemented and without proper consultation.

Northern Action Group (612)

Residents have the right to initiate a reorganisation proposal as has any other local authority under the Local Government Act 2002.

NorthWestern Community Association (936)

Patrick Doherty (833)

The clause is unnecessary, because these issues are dealt with under the Local Government Act. To exclude rights extended by the Local Government Act is contrary to the Principle of Law and therefore unacceptable. This clause withholds rights from one third of New Zealanders for three years because they live in Auckland. In that period of time the balance of New Zealanders have these rights.

Patrick Thoroughgood (834)
Paul Harris (932)
Peta Joyce (526)
Peter Buckton (528)
Undemocratic.

Peter Friedlander (104)
Delete Section 59, and oppose the inclusion of Northern Rodney. The northern boundary should be set in accordance with the Select Committee recommendation.

Peter Georgetti (716)
Object to the inclusion of North Rodney. Support the recommendation of the Select Committee.

Peter John Bloomer (714)
Allow parts of the City to secede.

Peter McCurdy (530)
Allow parts of the new ‘super city’ to decide to secede.

Peter McCurdy and family (810)

Peter Michael Steel (112)
Residents should have the right to initiate a reorganisation proposal.

Peter Thomspn (717)
Residents should have the right to initiate a reorganisation proposal.

Phil Chase (718)
Could potentially create problems with overbalanced wards in the 2013 election. The government should instead just rely on the Local Government Act 2002 for these provisions and allow Auckland the same right as any other region.

Princes Street Branch, New Zealand Labour Party (837)

Richard Challis (923)

Robert Richards South Titirangi Ratepayers and Residents (541)
Oppose this clause because it denies residents the right to initiate a reorganisation proposal under the Local Government Act 2002.

Roger and Joanna Booth (098)

SavePapakura (941)
Denies residents the right to initiate a reorganisation proposal that residents of any other local authority have under the Local Government Act 2002.

Sheila Pritchard (123)
Local people should have the choice.
Local Government (Auckland Law Reform) Bill

Sigrid Shayer (538)
Prevents Rodney from requesting boundary changes. Forced on them with no justification or consultation.

Simon and Frances Breeze (625)
Residents should have their rights under the Local Government Act 2002.

Simon Griffiths (539)
Denies residents the right to initiate a reorganisation proposal that residents of any other local authority have under the Local Government Act 2002.

Steve Marshall (844)

Susan Potter (847)
Citizens must be able to initiate reorganisation or secession from the Auckland Council.

Susanne Vincent (726)
See original submission for more detail.

Susanne Vincent (726)
Should be deleted. Aucklanders should decide these matters under normal legal and public consultation procedures.

Tamaki Community Board (195)
The Bill removes the democratic right of the people of Auckland and their representatives to review their representation arrangements or initiate reorganisation proposals. This clause should be removed.

Tet Woo Lee (849)
This removes the rights of citizens to initiate a reorganisation or secession from the Auckland Council. The rights of citizens should be restored as were granted in the Local Government Act 2002.

The Aucklander (130)
The Labour Local Government Sector Council (958)
Titirangi Ratepayer and Residents Association (730)
Tony Siu (736)

Undemocratic. Removes rights to reorganisation that all other ratepayers have under the Local Government Act.

Tracey Ann MacLeod (126)

Vic Shankland (738)

Boundary reorganisation proposals should be considered at any time and not be embargoed for a period of three years.
W R Townson (647)

Citizens should be given the right to initiate a reorganisation proposal.

Waiheke Gulf News (740)

Undemocratic and should be modified.

Warwick and Hueline Massey (862)

Wendy John (868)

William Garden (131)

Opposes this provision and believe that it is undemocratic. Aucklanders should be able to change the way in which they are represented, in the same way that they can in other cities. Recommend that this clause is deleted in order that the democratic rights of residents to effect changes within their area is maintained.

YouSay NZ (136)

**Keyword: Support**

Eden Valley Mainstreet Business Association Inc (028)

Hauraki District Council would like to ensure that it and the Waikato District Council retain the statutory rights in current legislation to address potential anomaly by way of a jointly supported reorganisation.

Hauraki District Council (165)

Mt Eden Village Mainstreet and Business Association Incorporated (109)

North Shore Town Centres Group (511)
Clause 60 October 2013 triennial general elections to be conducted using First Past the Post

Keyword: Oppose

Omit so Auckland can determine its electoral system.
Auckland City Council (545)

Electors should have the choice.
Hilltrud Grueger Springleigh Residents Association (542)
Denies the right to choose an electoral system.
Individual Five (552)

Electors should have choice of electoral system.
Karen Brown (7674)
Enable the Auckland Council to determine its preferred voting system for the 2013 elections and beyond, in accordance with the Local Electoral Act.
Franklin District Council (509)

Choice should be available.
Papatoetoe Community Board (199)
Should allow the choice of Single Transferable Vote.
Peta Joyce (526)
Allow freedom of choice.
Robert Richards South Titirangi Ratepayers and Residents (541)
Have the right to determine the electoral system.
Sandro Kopp (546)

Aucklanders should be allowed to choose electoral method, like everyone else.
Western Bays Community Board (193)

Oppose election of councillors at large. There must be a full ward system. Council must appoint the deputy Mayor and committee chairs. A more proportional voting system is needed.
Yvonne Matheson (547)
Citizens should have the right to opt for a more proportional system.
A Young (742)

It denies us the opportunity for STV. First Past the Post is not a representative way of electing our officials.

Aidan Burch (021)

Public should have right to choose system used to elect councillors and Mayor. Entrenching "FPP" electoral system benefits only one voting group.

Alex Lanning (145)

The voting public of Auckland should make this decision; this clause needs to be removed.

Allen Davies (148)

This clause undermines the existing powers of the council to opt for a Single Transferable Vote election. Opposed to First Past the Post system. Suggests Clause 12C is amended to require elections are held under the Single Transferable Vote or that voters decide which voting system to use.

Andrew Miller (018)

The Local Electoral Act 2001 allows the choice of Single Transferable Voting as an electoral system. This choice should remain available.

Anne Priestley (154)

Auckland Regional Council recommends that clause 60 is deleted and that the Auckland Council and the Auckland public are not constrained in their ability to change the electoral system to be used in 2013.

Auckland Regional Council (916)

Audrey van Ryn (151)

Voters should have the right to opt for a more proportional system.

Beatnik Publishing (051)

Denies the choice to opt for STV.

Bera MacClement (218)

Bill Leonard (043)

This denies the council and/or electors the democratic choice they would otherwise have under the Local Electoral Act 2001 to opt for Single Transferable Voting as an electoral system.

Browyn Cheryl Dutton (033)

This denies the council and/or electors the democratic choice they would otherwise have under the Local Government Act 2002 to opt for Single Transferable Voting as an electoral system.

Bryan Parris (220)

This clause denies electors to opt for Single Transferable Voting.

Carol Scott (087)

Denies right for proportional representation.

Caroline Mabry (233)
Allow the choice.

Chris Everitt (97656)

City Vision (247)

A large number of submissions over the restructuring process have recommended the Single Transferable Vote system - the current clause restricts the democratic process of residents to decide on governance matters.

Community Waitakere Charitable Trust (253)

A more proportional system should remain an option for the 2013 election.

Craig Vincent Powell (264)

D Hodges (045)

Voters should be able to vote for STV.

Danielle Romanes (266)

Support choice for STV.

Dave Breur (268)

Electoral process should not change without consultation.

David Spencer Trapp (026)

The Auckland Council should be elected by proportional representation.

Denny Reid (056)

Denying Aucklanders the same right as others to change to STV is unconstitutional.

Doris de Pont (269)

Dorte Wray (260)

Electors should have a choice.

Dr Alison Towns (320)

Dr John Salmon (037)

Dr Paul Cullen (321)

Dr Ry Tweedie-Cullen (219)

Council and/or electors should have the right to choose the electoral system.

Drama Magic Ltd (019)

Undemocratic. Prefer a preferential voting system.

Eden Albert Community Board (162)

Elaine Dyer (048)
No change to FPP system until after 2 elections (2013).

Elisabeth Laird (281)

Elisabeth Van Alkemade (279)

Voter should be able to choose a system which they recognise as being more representatives of Auckland's population.

Elizabeth Anne Jones (278)

Fiona Johnston (978)

Forum for Auckland Sustainable Transport (292)

George William Blanchard (053)

Supports a form of preferential voting being used.

Glenfield Community Board (163)

Graeme Hammonds (980)

Grant La Hood (748)

2010 and 2013 election should be a proportional representation system. Clause 60 should be deleted. The 2010 elections should be run under a proportional representitive system, such as Mixed Member Proportional.

Grassroots Action Group (973)

Guy Bibby (008)

Harry Russell Haley (918)

Negates any public input into potential improvement in the number of Local board members in particular for the current Waitakere area.

Henderson Valley Residents Association (803)

Hilary Jones (547)

Ian and Barbara Dutton (747)

Should be proportional representation.

Individual Submitter 10 (966)

All sections of the Bill that create obstacles to communities seeking to review ward boundaries or electoral system should be removed.

Individual Submitter 7 (965)

Individual Submitter 8 (968)

This denies the council and/or electors the democratic choice they would otherwise have under the Local Electoral Act 2001 to opt for Single Transferable Voting as an electoral system.

Jane Gilmour (009)
Janet Cole Community Coalition 4 Auckland (262)
This denies Aucklanders the right to opt for a more proportional system.

Janice B Cruickshank (373)

Jean M Hatch (080)

Jeremy Dumble (063)

Jerome Nicholas Partington (068)

A fully proportionate voting system should be used.

John A Haywardy (906)

Should not be denied the option of choosing another system.

John and Barbara Lusk (34345)

Denies Aucklanders the right to opt for a more proportional system.

John N. Sloane (808)

Removes the right for Auckland Council to decide if they want to change the voting system from FPP for local body elections until after the third term for the new structure. This is a right all other councils have.

Kayla Mackenzie-Kopp (806)

Kim Walker (908)

Kris Burrows (072)

Leaf Burrows (020)

Levent Okyay (070)

Following the 2010 election, Aucklanders must have the right to opt for a more proportional system in 2013.

Linda Kaiou (071)

Lisa Er (964)

Lucy Hawcroft (555)

Maire Leadbeater (914)

Manfred Staab (012)

Delete this clause - the Auckland Council should make decisions relating to the 2013 elections.

Manukau City Council (957)

Margaret Bijl (912)

The election of the new Council should be accompanied by a democratic choice of voting process with simultaneous referendum in this year's election of proportional representation options.

Marina Kokanovic (099)
Local Government (Auckland Law Reform) Bill

Denies Aucklanders the democratic right under the Local Electoral Act 2001 to opt for a more proportional system.

Mark Paterson (107)

This clause would deny the electorate the choice of electoral system that they have under the Local Electoral Act 2001. First past the post denies a meaningful vote to large minorities.

Martin and Sheila Hayes (013)

Denies the right to elect under a proportional system.

Martin Bruce Roberts (818)

Massey Matters (814)

Legislation should allow the provisions of the Local Government Act to apply.

Matthew McIvor (815)

Mona and Bill Townson (093)

Nadine McDonnell (937)

Democratic right to choose the voting system.

Neil Miller (522)

Nexus Senior Sustainability Group (707)

Denies Aucklanders the right to elect under a more proportional system.

North Shore Community and Social Services (830)

Council and/or electors should have the choice of electoral system.

Northern Amalgamated Workers Union (934)

NorthWestern Community Association (936)

FPP being forced on people.

Pam Sellers (524)

Denies the rights of Aucklander to opt for a more proportional system.

Patricia M Reade (926)

Don't believe 'first past the post' fairly represents different views and is therefore unfair.

Patrick Doherty (833)

Peter Aimer (931)

Peter Bartlett (928)

Peter McCurdy (530)
Electors should decide which voting system to be used.

Peter Thomspn (717)

Delete clause. Electors should decide on the voting system.

Phil Chase (718)

Supports the ability of the council and/or electors to opt for Single Transferable Voting as an electoral system, as they would otherwise have under the Local Electoral Act 2001.

Philip Jones (015)

Allow choice of STV.

Pippa Coom Grey Lynn 2030 (293)

Aucklanders should have the same rights as any other council and be able to change to more proportional election system, if that is the desire of the voters.

Princes Street Branch, New Zealand Labour Party (837)

Election should be based on a more representational system of voting than first past the post.

Prue Elvidge (1207)

Aucklanders should be able to choose which electoral system is used.

Ramon Thackwell (090)

Voters should not be denied the option of choosing another system, if the majority wishes it.

Richard Challis (923)

The people of Auckland should have the right to decide how their representatives are elected.

Richard Wesley (105)

The 2013 Auckland Council election should retain the choice given under the Local Electoral Act 2001 to opt for Single Transferable Voting as an electoral system.

Sheila Pritchard (123)

Denies the council and/or electors the democratic choice they would otherwise have under the Local Electoral Act 2001 to opt for STV as an electoral system.

Steve Marshall (844)

Denies Aucklanders the democratic right to opt for a more proportional system.
Su Yin Khoo (845)

The council and electors must be able to choose alternatives for the 2013 election.

Susan Potter (847)

Susan Washington (848)

Electors must have the right to chose a proportional system.

Susanne Vincent (726)

Should be deleted. Aucklanders should decide these matters under normal legal and public consultation procedures.

Tamaki Community Board (195)

The voting model has been imposed without any consultation until 2013.

Te Atatu Peninsula Business Association Inc (940)

Using FPP is inconsistent with the Mixed Member Proportional system adopted for central government.

Te Runanga a Iwi o Ngapuhi (891)

The Auckland (130)

The ability of Aucklanders to make a switch from FPP to a system of proportional representation after the 2010 elections must not be denied. '2013' in this clause should be changed to '2010'.

Thomas Walter Harvey (850)

A proportional representation system should be used for council elections and the ratepayers of Auckland should be properly consulted on this issue.

Three (893)

Delete this clause

Titirangi Ratepayer and Residents Association (730)

Any change to the electoral system should be made by the ratepayers and residents.

Trevor G Bridge (119)

A proportional system should be an option for the 2013 election.

Vic Shankland (738)

The Council submits that Auckland Council should retain the option of choosing the electoral method for the 2013 local government elections, whether they should be held under the FPP voting system or some other. This clause should be deleted.

Waitakere City Council (194)

A more proportional system should remain an option for the 2013 election.

Warwick and Hueline Massey (862)

Wendy John (868)
Denies councillors/electors the right to opt for Single Transferable Voting as an electoral system until after 2013.

William Garden (131)
William Moore (871)

The 2010 elections should be run under a proportional representation system such as MMP. Aucklanders should be given the right to choose the 2013 electoral system they wish to use via a referendum. The new Auckland Council should be required by law to consult with Aucklanders on this issue. Recommend that this clause is deleted.

YouSay NZ (136)

**Keyword: Should be STV**

First past the post is not a representative way to elect officials.

Aidan Burch (142)
Alastair Jamieson (143)

Opposed to First Past the Post system. Suggests Clause 12C is amended to require elections are held under the Single Transferable Vote or that voters decide which voting system to use.

Andrew Miller (018)

The Bill requires that the 2013 Auckland Council election be held under FPP. This denies the council and/or electors the democratic choice they would otherwise have under the Local Electoral Act 2001 to opt for STV as a voting system. Both the Mayor and councillors should be elected by proportional representation (STV), in order that the representatives of 1.4 million people have a true majority mandate.

Auckland Women's Centre (184)

Bill Leonard (217)
Brian Murphy (228)
Brian Van Dam (232)
Clare Davies (246)

A large number of submissions over the restructuring process have recommended the Single Transferable Vote system - the current clause restricts the democratic process of residents to decide on governance matters.

Community Waitakere Charitable Trust (253)
Daniel Findon and Catherine Murray (259)
Edward Exton Fletcher (275)
Eileen Van Dam (276)
Elaine Dyer (048)
Elisabeth Van Alkemade (279)
Forum for Auckland Sustainable Transport (292)
The 2013 Auckland Council election should retain the choice given under the Local Electoral Act 2001 to opt for Single Transferable Voting as an electoral system.

The Bill removes the democratic right of the people of Auckland to decide on their electoral system. Oppose this section and it should be removed. The first elections for the Auckland Council should be held under STV to overcome the weaknesses of FPP and clauses to this effect should be added to the Bill.

Should be amended to require the STV system to be used in 2010 and to give the Auckland Council, in consultation with the local boards, the ability to choose the electoral system for the 2013 and subsequent elections.

Keyword: Support

STV debate a distraction.
Agree with 'first past the post' form of elections.

Geoffrey Johnston (306)

John Kirikiri (909)
Clause 61 First steps for board established by Part 7 of Local Government (Auckland Council) Act 2009

Keyword: Other Comments

61(5) should be amended to have the remuneration of Board members determined by the Remuneration Authority as it does now for Community Boards and not the Auckland Council.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

Suggests Korowai Plan as an alternative. Prefers Māori seats. Co management or dual responsibility and accountability is held between the Minister of Māori Affairs and the Minister of Local Government.

Te Taumata Runanga (535)

61(5) should be amended to have the remuneration of board members determined by the Remuneration Authority as it does now for Community Boards and not by the Auckland Council.

The Labour Local Government Sector Council (958)

The Higher Salaries Commission should determine salaries, not the Auckland Council.

Western Bays Community Board (193)
Clause 62 Moratorium on sale of certain Council property

Keyword: Later than 2012

Extend at six months until after the 2013 election and any sale of assets must be approved by a referendum of all Auckland voters.

Bera MacClement (218)

The Board feels the threshold of $250,000 is appropriate. The moratorium on the sale of assets should be extended to at least 2013 or the second term of the Auckland Council. This would enable the Auckland Council to fully apprise themselves of council assets across the whole region and reduce the potential for non-mandated sales. Pushing out the date would also be consistent with other provisions in the Bill.

Birkenhead Northcote Community Board (852)

Cameron Walker (225)

Should be decided at the 2013 elections.

Danielle Romanes (266)

Wait until 2013 elections.

Dave Breur (268)

Section should read: Moratorium on the sale of all Council property/assets until after the poll of electors of Auckland on the continuation of the new structure which is to take place after the Auditor General's report on the savings resulted from the 6 years of operation. The purpose of which is to enable the proposed structure to be unwound and the situation as at 1 January 2010 reinstated.

Edward Exton Fletcher (275)

Elaine Dyer (048)

Plans and asset sales could be proposed and completed before voters have a chance to have a say at the 2013 elections.

Elizabeth Anne Jones (278)

Moratorium should be until 2014.

Elizabeth de Man (282)

Moratorium should be extended to all major assets until after 2013 local government elections.

Genevieve Utting (060)

Grant La Hood (748)
Concerned the moratorium is only for a short period of time following the new council being elected.

Henderson Valley Residents Association (803)

Jacqueline Amoamo (076)

Kim Walker (908)

Would enable privatisation plans before voters can have their say in the 2013 local government elections.

Kris Burrows (072)

Maire Leadbeater (914)

Martin and Sheila Hayes (089)

Preferred outcome is that the moratorium is enshrined in law.

Nadine McDonnell (937)

The moratorium on the sale of strategic assets should continue.

Owen and Joy Lewis (103)

Should be a moratorium on disposal of assets, not just 'strategic', until 2015.

Peter McCurdy and family (810)

Opposed to clause allowing Auckland Council to sell strategic assets after 2012. If this has to occur, it should not come into effect until after the 2013 elections, to ensure Aucklanders have a chance to debate and discuss these issues.

Princes Street Branch, New Zealand Labour Party (837)

Richard Challis (923)

The moratorium on the sale of strategic assets should be extended to at least 2014 so that Aucklanders can have their say at the 2013 elections.

Robin Campbell (0114)

Public assets should not be sold

Stephen Moore (124)

Should be extended from July 2012 to July 2015.

Tamaki Community Board (195)

The moratorium should be extended at least until after the 2013 elections.

The Aucklander (130)

Should be extended to July 2015.

The Labour Local Government Sector Council (958)

Moratorium must end after 2013 as a minimum so it can be an election issue.
Tracey Ann MacLeod (126)

Moratorium should be extended at least until after the 2013 election.

Waiheke Gulf News (740)

William Garden (131)

The moratorium should be extended. Sale of our strategic assets should not take place without the explicit consent of Aucklanders as a whole.

William Moore (871)

Keyword: Other Comments

Support the continuation of council owned assets.

Amanda Judd Youthworx (515)

Retain the provision but allow some flexibility by use of the special consultative procedure to deal with assets during the establishment period. Clarify that the prohibition does not prevent the transfer of assets between the Auckland Council and its CCOs should that be required.

Auckland City Council (545)

The Auckland Council will be permitted to sell strategic assets from mid-2012, meaning privatisation plans can be completed before voters get a chance to have a say on them at the 2013 local elections. Public assets, such as the Ports of Auckland, roads and community facilities (including the Auckland Women’s Centre building) should remain in public ownership. No asset should be sold without Aucklanders being consulted via a referendum. Dividends should not be paid on any essential public assets; instead, any excess should be reinvested in public assets or returned to the relevant ratepayers, not added to general funds.

Auckland Women’s Centre (184)

Issues such as the disposal of council assets to be used to finance other council projects should be subject to a ‘super majority’, ie. a majority of eligible electors.

Brian Murphy (228)

Require the Auckland Council to follow a consultative process under the LGA 2002.

Chris Everitt (956)

Develop a schedule of strategically significant assets which could only be disposed of through a substantial consultation process. Lengthen the period of the moratorium to the next triennium which would enable Councillors to campaign on any intention to sell significant assets and for the electorate to vote accordingly.

Christine Ross PSA (550)

Deliberations on decisions to dispose of an asset should include consultation with existing leaseholders, tenants or other legal occupiers of such properties. Include assets transfer as an option.

David Poole Estuary Arts Centre (285)

Should be strengthened to prevent asset sales at under value.

Geoffrey John Beresford (350)

Apply to CCOs.
Graeme Easte (558)

Should apply consistently across all CCOs, with consideration in consultation with Auckland citizens, over which assets should remain in public ownership in perpetuity.

Individual Submitter 7 (965)

Council should strongly avoid any selling of Auckland assets.

Joan Isabel Barton (886)

Voters must be able to have a say at the 2013 elections.

John and Barbara Lusk (34345)

Restructuring of governance must retain and improve the people's assets. The structure has to be so that it is not possible to sell things off.

Julia Meek (809)

Moratorium should continue until Aucklanders decide otherwise.

Karen Brown (7674)

No public assets should be privatised without a referendum to the public of Auckland.

Kumeu/Huapai Residents and Ratepayers Association Inc (880)

Opposed to asset sales.

Lawrence Carter (2544)

The Auckland Council should be required to consult widely with its community about any proposals to privatise any major assets.

Living Streets Auckland (875)

No communally owned assets must be sold. There must be no privatisation of anything.

Margaret Mills (876)

Amend (1) (c) to $2M as it would not trigger the Significance Policies for any of the existing Auckland councils.

Franklin District Council (509)

The Bill should be amended to preserve all assets which have been built up by Aucklanders.

Mary-Ann de Kort (822)

Extend to at least the 2013 elections.

Neil Miller (522)

Public assets should remain in public ownership with potential transfer of some assets to local communities if there is adequate consultation and agreement.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Community ownership and/or control of Council owned assets must be provided for.
Pam Unkovich (525)

No asset should be sold without an absolute two thirds majority vote of Auckland Council and Local Councils following formal consultation process. Dividends should not be paid on any essential public assets - any excess should be reinvested in public assets or returned to the relevant ratepayers, not added to general funds.

Pamela Gill (523)

Concerned at privatisation prior to 2013 election.

Papatoetoe Community Board (199)

Extend until at least until the 2013 elections.

Peta Joyce (526)

Apply to all assets not just strategic. Apply until 2015.

Peter McCurdy (530)

Legislation must prevent the privatisation of major public assets such as the Ports of Auckland, water, roads and community facilities and the Auckland and Manukau Auckland International Airport Limited shareholdings.

Rev Andrew Bell (518)

Retain until at least after the 2013 elections.

Robert Richards South Titirangi Ratepayers and Residents (541)

Auckland's assets must not be privatised but stay in public ownership.

Robin Linda Duke (840)

Opposed to the sale of assets.

Sandro Kopp (546)

The Auckland Council should be able to create Council-Private and/or Council-Community arrangements to control Auckland waste assets.

Sustainable North Trust (917)

Privatisation could occur before the people have a say in the 2013 elections.

Toa Greening (556)

The Auckland Council should be required to consult widely with its community about any proposals to privatise any major assets.

Walk Auckland Inc (861)

Keyword: Oppose

Oppose as this clause provides for privatisation plans to be completed by the Auckland Council before voters get a chance to have a say on them at the 2013 local elections.

Adrian Pryor (140)
Opposed to clause as it allows the privatisation of Auckland Council assets before the 2013 local government elections.

Aidan Burch (142)

This clause means that privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say on them at the 2013 local elections.

Alistair Gillies (147)

This clause should be changed to say that strategic assets should not be sold at any time without the agreement through a referendum of the citizens of Auckland.

Allen Davies (148)

Suggests a binding referendum is held to approve share or asset sales over a preset threshold.

Andrew Miller (018)

Provides for a moratorium on the sale of strategic assets only until 1 July 2012, ie before the 2013 local elections.

Anne Priestley (154)

Audrey van Ryn (151)

Allows asset sales prior to the 2013 elections. Supports protection along the lines of section 28 of the Local Government (Auckland) Amendment Act.

Barbara Lucy Baragwanath (216)

Beatnik Publishing (051)

Oppose as Auckland Council will be permitted to sell strategic assets from mid-2012, and voters will not have a chance to have a say at the 2013 local elections.

Beatnik Publishing (204)

Suggests this clause is amended so the moratorium is in place until 2112 and can only be ended by popular vote.

Bill Leonard (043)

Privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say at the 2013 local elections. Privatisation could be carried out before the 2013 elections.

Browyn Cheryl Dutton (033)

This means that privatisation plans can be proposed and completed by the Auckland Council before the 2013 local elections; this will be detrimental to the wellbeing of the people of Auckland.

Carol Scott (087)

Carol Symington (024)
Path open for sale of Ports of Auckland.

Catherine Farmer (1691)

Should not apply to publicly listed entities. May negatively impact on the value of shares.

Charles Spillance Auckland Airport (176)

Specific provisions must be made to protect council assets.

Child Poverty Action Group (244)


City Vision (247)

Privatisation could be completed by the Council before the public had a chance to voice their opposition in the 2013 elections.

Clare Davies (246)


Community Waitakere Charitable Trust (253)

David Spencer Trapp (026)

Denise Roche (263)

Insert provision similar to section 28 of the Local Government (Auckland) Amendment Act.

Donna Wynd and David Benson (100)

Dorte Wray (260)

Allow Aucklanders to decide.

Dr Alison Towns (320)

Dr John Salmon (037)

Dr Paul Cullen (321)

Dr Rosemary Hope Lovell-Smith (106)

Dr Ry Tweedie-Cullen (219)

Privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say at the 2013 elections.

Drama Magic Ltd (019)

Moratorium should continue until Aucklanders decide otherwise.

Eden Albert Community Board (162)

Elaine Dyer (048)
Public assets should stay public, not be sold or governed in such a non-transparent way. It is irresponsible to relinquish public control of them.

Elisabeth Laird (281)

Plans and asset sales could be proposed and completed before voters have a chance to have a say at the 2013 elections.

Elizabeth Anne Jones (278)
Elizabeth Jane Worley (283)
Fiona Johnston (978)

Community consultation should be undertaken before the privatisation of any major asset.

Forum for Auckland Sustainable Transport (292)

Suggest amending clause by deleting "before 1 July 2012" and adding “or council- controlled organisation” to 1 (a).

Glenfield Community Board (163)
Grant La Hood (748)

Concerned about the privatisation of Auckland's public assets. The move toward the privatisation of Auckland waste, water, parks and transport assets. The assets that currently belong to the ratepayers of Auckland must remain in public ownership.

Gretchen Schubeck (294)
Guy Bibby (077)
Harry Russell Haley (918)

Risk of taonga and collective community resources being sold out of public ownership and control.

Helen Te Hira IHI Action Group (501)

Local boards should be given power to retain and spend the funds from sale of surplus land in their areas to ensure that the local area benefits from sale.

Hilltrud Grueger Springleigh Residents Association (542)

Provisions for the retention of Council asset needs to be included in the Local Government (Auckland Law Reform) Bill.

I Muller (1230)
Ian A Gould (066)

Voters can't have say at the 2013 elections.

Individual Five (552)
Individual Submitter 10 (966)
Individual Submitter 9 (967)
Jacqueline Amoamo (076)

This means privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say at the 2013 local elections.

Jane Gilmour (062)

Janice Gardiner (075)

Council assets should not be privatised; especially water and Ports of Auckland should stay in public ownership.

Jean M Hatch (080)

John M Stansfield (905)

Privatisation plans can be completed before voters get a chance to have a say on them at the 2013 local elections. This is undemocratic.

Jon Carapiet (879)

Assets subject to the moratorium will be vulnerable to privatisation as soon as moratorium ends. For further details please refer to the original submission.

Jonathan Godfrey (705)

Oppose the sale of publicly owned assets.

Julie M Gould (069)

Juliet Yates (805)

Kath Dewar (702)

Opposed to provisions in the Bill that will pave the way for the privatisation of services like water and wastewater across the region.

Kayla Mackenzie-Kopp (806)

Kim Walker (908)

Would enable privatisation plans before voters can have their say in the 2013 local government elections.

Kris Burrows (072)

Leaf Burrows (020)

Levent Okyay (070)

Lisa Er (964)

Maire Leadbeater (914)

Manfred Staab (012)

Amend to ensure that those properties subject to section 40 in the Public Works Acts 1981 be excluded from the moratorium. The prohibition on the sale, transfer or other disposal of land and buildings with a current rating valuation of $250,000 or more is impractical and may affect long-term leases.

Manukau City Council (957)
The Bill appears to be making way for the privatisation of public assets currently owned by various councils in the Auckland area.

Margaret Bijl (912)
Voters should have a say.

Margaret Todd (911)
Dividends should not be paid on any essential public asset. Excess should be re-invested in the public asset or service, or through reduced charges or pricing, not added to general funds.

Marina Kokanovic (099)
Opposed to this clause as it would allow privatisation of strategic assets before voters can have a say in the 2013 local elections.

Martin and Sheila Hayes (013)
The provisions preventing the sale of the region's assets should not contain any date of expiry, instead should act as a permanent vehicle for the retention of the region's important infrastructure and asset base.

Maungakiekie Community Board (197)
Must provide for community ownership and/or control of Council owned assets. For further detail please refer to original submission.

Megan Courtney (743)
Megan Vertelle (724)
Michael Andreasen (1201)
Michelle Kean (108)
Preferred outcome is that the moratorium is enshrined in law.

Nadine McDonnell (937)
New Zealand Council of Trade Unions (512)
Nexus Senior Sustainability Group (707)
Privatisation of council services should not be allowed.

Nigel Vaughan Smith (084)
The Ports of Auckland should not be privatised without a referendum.

Noreen Prudence Giles (094)
Concerned that privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say at the 2013 local elections.

North Shore Community and Social Services (830)
Northern Amalgamated Workers Union (934)
Submitter opposes this clause and seeks that it be deleted.
NorthWestern Community Association (936)
The moratorium on the sale of strategic assets should continue.

Owen and Joy Lewis (103)

Patrick Doherty (833)

This clause would allow privatisation before the 2013 local elections.

Peter Friedlander (930)

Should be a moratorium on disposal of assets, not just 'strategic', until 2015.

Peter McCurdy and family (810)

Moratorium should continue until Aucklanders decide otherwise.

Phil Chase (718)

There should be no sale of strategic assets.

Philip Jones (015)

Opposed to clause allowing Auckland Council to sell strategic assets after 2012. If this has to occur, it should not come into effect until after the 2013 elections, to ensure Aucklanders have a chance to debate and discuss these issues.

Princes Street Branch, New Zealand Labour Party (837)

Any decision to dispose of community assets assigned to CCOs should be done with full Council approval and public notification.

Rainbows End and Rivers Environmental Group Inc. (922)

Ramon Thackwell (090)

Richard Challis (923)

Robert and Margaret Coldham (533)

The moratorium on the sale of strategic assets should be extended to at least 2014 so that Aucklanders can have their say at the 2013 elections.

Robin Campbell (0114)

Opposed to the sale of public assets.

Robin Lorenz Hill (841)

Roger and Joanna Booth (098)

Ron R Miller (1229)

Opposes privatisation of the Ports of Auckland, Airport Shares and water.
Means that privatisation plans can be proposed and completed by the Auckland Council before voters get a chance to have a say on them at the 2013 local elections. This undermines the democratic process.

Community assets should remain in public ownership.

Voters should get the chance to have a say about the privatisation of strategic assets.

Public assets should not be sold

Strategic assets should not be privatised.

The management of public assets as provided for in the Bill, with a clear view to the eventual sale of these public assets, is an unjustified and an undue extension of an inappropriate corporate model into the affairs of local government. The Auckland Council will be permitted to sell strategic assets from mid-2012, meaning that privatisation plans can be completed before voters get a chance to have a say on them at the 2013 local elections.

Strongly support public ownership of public assets of Auckland.

At a minimum, this moratorium should be extended past the first council elections in 2013. Would prefer, however, that the moratorium be enshrined in law.

No public assets should be permitted to pass out of public control.

The moratorium should be extended at least until after the 2013 elections.

The Bill must include provisions to protect council assets.

Moratorium must end after 2013 as a minimum so it can be an election issue.
Tracey Ann MacLeod (126)
Should only apply where the CCO is wholly owned by the Auckland Council.

Transpacific Industries Group (NZ) Ltd (729)
Would allow privatisation before the 2013 local elections.

Veronica Friedlander (120)
Moratorium should be extended at least until after the 2013 election.

Waiheke Gulf News (740)
Does not safeguard against the possible sale of strategic assets without the approval of voters.

Warwick and Janet Sumpter (863)

Wendy John (868)

William Garden (131)
The moratorium should be extended. Sale of our strategic assets should not take place without the explicit consent of Aucklanders as a whole.

William Moore (871)
Support the continuation of council-owned assets, especially those that provide significant assistance to youth, the youth sector, and all the wider community sector.

Youthline (121)

Keyword: Support

This clause, that protects the loss of community assets built up by the region and local communities until 2012, is supported.

Waitakere City Council (194)

Keyword: $250,000 too low

The Bill should be revised to include specific provision for a binding referendum of Auckland Council voters to determine if any major council asset or operation should be sold, privatised or contracted out (such referenda to normally take place as part of Annual Plan consultation). By major asset or operation it is meant any asset over the value of $1 million or any council operation with total annual operating expenditure of $1 million or more, or any aspect of council that a majority of submitters on that sale, privatisation or contracting out decision deem to be a major asset or operation. The Bill should be amended to retain existing assets and liabilities under the ownership of their respective local boards (proportionate division based on electoral rolls from existing councils), and binding referendum required of that local boards voters to determine if any major council asset be sold, privatised or contracted out.

Brian Van Dam (232)
Eileen Van Dam (276)

Council advocate that the moratorium on Auckland Council property to July 2012 not apply to property valued at under $2 million, or where Auckland Council has used the special consultative process. The current moratorium value cap is too low, and would be unfairly constraining.

Papakura District Council (196)
Clause 63 Existing directors and board members of council-controlled organisations and council organisations

No submissions were received on this clause.
Clause 64 Half-yearly report replaced with 4-month report

No submissions were received on this clause.
Local Government (Auckland Law Reform) Bill

Clause 65 Watercare Services Limited treated as local government organisation

Keyword: Other Comments

Auckland Regional Council recommends that Watercare becomes a CCO subject to all the provisions of the Local Government Act 2002 from 1 November 2010. It also recommends that clauses 65-70 removed and clause 60 comes into effect from 1 November 2010.

Auckland Regional Council (916)

Watercare no longer protected from privatisation.

Catherine Farmer (1691)

Concerned at the disproportionate amount of the Bill spent specifically on the named Watercare Services. Those looking after water should not be named party in an Act.

Gayleen Mackereth (351)

Opposed to future sale of Watercare Services

Individual Submitter 10 (966)

Watercare Services (and any other Auckland water organisation, other than Auckland Council) should be established as a council-controlled trading organisation on the same basis as the government's state-owned enterprises. Any non-commercial services that the Auckland Council may wish Watercare to provide should be contracted and paid for separately.

Local Government Forum (877)

Watercare to be a council water organisation until 30 June 2012 but clause 73 retains Council ownership until 30 June 2015. What is the ownership status in the interregnum?

Local Government New Zealand (543)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs. Insert a new clause exempting Watercare from tax.

Manukau City Council (957)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare should be managed by the Auckland Council and planning for future water needs undertaken through Long-term Council Community Planning process.

Noelene Buckland (945)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.
North Shore Community and Social Services (830)

Should not expire in June 2012.

The Labour Local Government Sector Council (958)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

**Keyword: No need to restrict obligations to 30 June 2012.**

Watercare Services Limited should be treated as a local government organisation indefinitely.

Andrew Miller (018)

For further detail please refer to the original submission.

Jonathan Godfrey (705)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Noreen Prudence Giles (1202)

Prue Elvidge (1207)

Should remain as statutory requirements permanently.

Tamaki Community Board (195)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

**Keyword: Oppose**

A Young (742)

Alastair Jamieson (143)

Catherine Lee (236)

Chris Everitt (97656)

Clive Teare (901)

This clause should be removed.

Community Waitakere Charitable Trust (253)
There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)
Dr John Salmon (037)
Emily Smith (286)
Grassroots Action Group (973)
GW Powell (979)

Must remain subject to Council controls.

Hilary Jones (5442)

Opposed to privatising water.

Individual Submitter 8 (968)

Opposed to Watercare Services Limited not being subject to the Auckland Council's directions and policies.

Jim Farnell and Jo-ann Farnell (074)

John A Haywardy (906)

John Mackay (1210)

Lack of transparency and democratic oversight.

John N. Sloane (808)

For further detail please refer to the original submission.

Jonathan Godfrey (705)

Lance R Taylor (959)

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Luis Lachica (723)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

Michael Douglas Scott (1212)

Mona and Bill Townson (093)

Noreen Prudence Giles (094)

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (926)
No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland’s water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)
Keyword: Other Comments

Objects to Watercare Services having jurisdiction in Waiheke and that residents might be charged for water services.

Andrew Watkins (040)

Watercare Services Ltd must be subject to Auckland Council policy or direction, and the Auckland Council should not have any opportunity to privatise public assets and services at any time.

Chris H Williams (240)

The relationship between the wastewater network and the stormwater network is not defined.

Local Government New Zealand (543)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs.

Manukau City Council (957)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.

North Shore Community and Social Services (830)

It is unclear how a coordinated approach within a defined geographic area will be achieved with the myriad of agencies which could be involved.

North Shore Town Centres Group (511)

To help build public confidence that effective scrutiny and governance direction will sit with Auckland Council, strengthen the information and reporting requirements. (amendments suggested)

Peter McKinlay Institute of Public Policy (368)

Concerning that after June 2012 there is reduced accountability around Watercare’s operations.

Princes Street Branch, New Zealand Labour Party (837)

Should remain as statutory requirement permanently.

Tamaki Community Board (195)

Should not expire in June 2012.
The Labour Local Government Sector Council (958)

Watercare Services Ltd should also have responsibility for stormwater management.

The New Zealand Water and Wastes Association (127)

It is imperative that Watercare Services should come under the strategic directions of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

**Keyword: Oppose**

Alastair Jamieson (143)

The new spatial plan will not be subject to the Waitakere Ranges Heritage Area Act and the Bill will no longer offer the Waitakere Ranges the protections offered under the Waitakere Ranges heritage Area Act. The Bill must be amended to ensure that the new spatial plan is subject to the Waitakere Ranges Heritage Area Act.

Catherine Lee (236)

Chris Everitt (97656)

Clive Teare (901)

This clause should be removed.

Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)

Grassroots Action Group (973)

GW Powell (979)

Will result in lack of transparency and democratic oversight.

Janice B Cruickshank (373)

Jim Farnell and Jo-ann Farnell (074)

John A Haywardy (906)

Lack of transparency and democratic oversight.

John N. Sloane (808)

Lance R Taylor (959)

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.
Linda Kaiou (071)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

Mona and Bill Townson (093)

Noreen Prudence Giles (094)

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (712)

Peter Bartlett (928)

Robyn Laing (091)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland’s water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

Titirangi Ratepayer and Residents Association (730)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)
Oppose as it will allow the end of public oversight of its own water company. It should guarantee full public scrutiny and decision making as regards to all public assets.

Bill Leonard (217)

Whose interests will secret decision making about water services and pricing be in?

Danielle Romanes (266)

Decision making must remain transparent.

Hilary Jones (547)

Little transparency or accountability.

Jon Randall Farrant (355)

Delete as it is contrary to open decision making.

Karen Brown (767)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs.

Manukau City Council (957)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.

North Shore Community and Social Services (830)

Local Government Official Information and Meetings Act 1987 must apply to the new Council and to all CCOs in perpetuity.

Peter McCurdy (530)

Subject Watercare to Part 7 of the LGOIMA.

Peter McKinlay Institute of Public Policy (368)

Should be in the public domain.

Simon Griffiths (539)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.
Three (893)

Not required to be transparent after June 2012.

Toa Greening (556)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

**Keyword: No need to restrict obligations to 30 June 2012.**

Adrian Pryor (140)

This means that after 30 June 2012 decision-making about water services and pricing will be able to be made in secret.

Browyn Cheryl Dutton (033)

Carol Symington (024)

D Hodges (045)

Drama Magic Ltd (019)

Elaine Dyer (048)

Elizabeth Jane Worley (283)

Obligation should apply indefinitely

Genevieve Utting (060)

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

**Keyword: Obligations should apply indefinitely**

Aidan Burch (142)

Alastair Jamieson (143)

Access to information in regard to Watercare Services should always be available to the public sector and decisions about pricing should be open and above board. This clause should be deleted.

Allen Davies (148)

Barbara Lucy Baragwanath (216)

Community Waitakere Charitable Trust (253)

Dr M Dale (902)

Elizabeth de Man (282)

Glenfield Community Board (163)
Concerned that removing obligation will allow Watercare Services to make decisions in secret.

Jane Gilmour (062)
Margaret Todd (911)
Noreen Prudence Giles (1202)

There should never be any provision that after 30 June 2012 decisions and pricing for water services could be made in secret.

Patrick Doherty (833)
Peter Friedlander (930)
Phil Chase (718)
Prue Elvidge (1207)
Ron R Miller (1229)
Suzanne Dowling (1215)
Tamaki Community Board (195)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire. This provision ensures transparency.

Tet Woo Lee (849)
The Labour Local Government Sector Council (958)
Val Wynd (854)

**Keyword: Oppose**

Adrian Pryor (140)

Oppose because after June 2012 decisions about water services and pricing will be able to made in secret.

Aidan Burch (021)

This clause means that after this date decision-making about water services and pricing will be able to be made in secret.

Alistair Gillies (147)

Access to information in regard to Watercare Services should always be available to the public sector and decisions about pricing should be open and above board. This clause should be deleted.

Allen Davies (148)

The process of making decisions about water services and pricing must be public and accountable.

Anne Priestley (154)
Audrey van Ryn (151)
Barbara Lucy Baragwanath (216)
This clause should be amended to guarantee full public scrutiny of decision making related to public assets.

Bill Leonard (043)

This means that after 30 June 2012 decision-making about water services and pricing will be able to be made in secret.

Browyn Cheryl Dutton (033)

Opposed. This means that after 30 June 2012 decision-making about water services and pricing could be made in secret.

Bryan Parris (220)
Carol Symington (024)
Catherine Lee (236)
Child Poverty Action Group (244)

Require Watercare to adhere to all current and additional accountability requirements of Council be legislated. LGOIMA provisions to apply to Watercare Services in perpetuity.

Chris Everitt (97656)

City Vision (247)

Oppose as water services and pricing could be made in secret and be inaccessible to the Council and public.

Clare Davies (246)
Clive Teare (901)
Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)
D Hodges (045)

Decision making about water services and pricing will be made in secret.

Dave Breur (268)
David Spencer Trapp (026)

Watercare is a publicly owned monopoly, and must be accountable, and its decision-making open and transparent.

Donna Wynd and David Benson (100)
Dorte Wray (260)
Dr Alison Towns (320)
Dr John Salmon (037)
Dr M Dale (902)
All CCOs should operate with the Freedom of Information Act.

Decisions over water services and prices should be publicly debated.

Concerned that removing obligation will allow Watercare Services to make decisions in secret.

Residents need a fully accountable and transparent system of regional governance and operations.
Oppose as decisions about water services and prices should be publicly debated.

Julie M Gould (069)

Decisions about water services should remain subject to the Local Government Official Information and Meetings Act 1987.

Juliet Yates (805)

Kath Dewar (702)

Water pricing decisions should be made by elected representatives.

Kim Walker (908)

Lance R Taylor (959)

Leaf Burrows (020)

Levent Okyay (011)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Lisa Er (964)

Manfred Staab (012)

Margaret Todd (911)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

This clause removes the promised transparency from the pricing and decision making processes from Watercare Services Ltd.

Martin and Sheila Hayes (013)

Oppose this clause as it removes the transparency from the pricing and decision making processes from Watercare Services.

Martin and Sheila Hayes (089)

Megan Vertelle (724)

Michael Andreasen (1201)

Mona and Bill Townson (093)

Nadine McDonnell (937)

Neil Miller (522)

Noreen Prudence Giles (094)

Northern Amalgamated Workers Union (934)
This clause is contrary to continued open decision making regarding Auckland's assets and should be deleted.

NorthWestern Community Association (936)

Information on Watercare Services should be public.

Owen and Joy Lewis (103)

Papatoetoe Community Board (199)

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (712)

There should never be any provision that after 30 June 2012 decisions and pricing for water services could be made in secret.

Patrick Doherty (833)

Peta Joyce (526)

Peter Aimer (931)

Allows decision-making on Watercare Services Ltd to be made in secret (after 30 June 2012).

Peter Friedlander (104)

The Official Information Act must apply to the new Council and to all CCOs in perpetuity. Watercare must remain in public ownership and under democratic control.

Peter McCurdy and family (810)

Clause should be deleted.

Phil Chase (718)

Decision-making about water services and pricing should be transparent to electors.

Philip Jones (015)

Pippa Coom Grey Lynn 2030 (293)

This provision should be deleted.

Richard Challis (923)

Robert and Margaret Coldham (533)

Robert Richards South Titirangi Ratepayers and Residents (541)

Roger and Joanna Booth (098)

Means that after 30 June 2012 the decision-making about water services and pricing will be able to be made in secret.

Sheila Pritchard (123)
Sigrid Shayer (538)
Steve Marshall (844)

Watercare Services Limited must be subject to the information provisions of the Local Government Official Information and Meetings Act 1987.

Susan Potter (847)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

This provision should be deleted.

The Aucklander (130)

Titirangi Ratepayer and Residents Association (730)

Tony Siu (736)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

Allows decision-making on Watercare Services Ltd to be made in secret (after 30 June 2012).

Veronica Friedlander (120)

Delete this provision.

Waiheke Gulf News (740)

Wendy John (868)

**Keyword: Should apply to Auckland water organisation.**

Carol Symington (024)
Dr John Salmon (037)

Dr M Dale (902)

Drama Magic Ltd (019)

Elizabeth Jane Worley (283)

Obligation should apply indefinitely

Genevieve Utting (060)

Jerome Nicholas Partington (068)

Jim Farnell and Jo-ann Farnell (074)

Leaf Burrows (020)
This clause removes the promised transparency from the pricing and decision making processes from Watercare Services Ltd.

Martin and Sheila Hayes (013)

Nadine McDonnell (937)

Noreen Prudence Giles (1202)

Information on Watercare Services should be public.

Owen and Joy Lewis (103)

Allows decision-making on Watercare Services Ltd to be made in secret (after 30 June 2012).

Peter Friedlander (104)

Decision-making about water services and pricing should be transparent to electors.

Philip Jones (015)

Prue Elvidge (1207)

Ron R Miller (1229)

Suzanne Dowling (1215)
Clause 68 Statement of corporate intent

Keyword: Other Comments

Recommend that the provisions for Watercare’s SOI be assessed to ensure consistency with the SOI principles and alignment with the SOI provisions in the LGA 2002.

Auckland Chamber of Commerce (175)

Amend (2) to provide that a draft statement of corporate intent must be provided on or before 1 March each year.

Auckland City Council (545)

Statement of corporate intent needs to reflect social and environmental responsibilities.

Kit Howden (065)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs.

Manukau City Council (957)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.

North Shore Community and Social Services (830)

Recommends that the government signal via legislation its support for a protection mechanism which will help build public confidence. Example from England and Wales included. Suggest (3) (f) “the guaranteed minimum standards of service and the specified level of payment to the customer affected where failure to deliver occurs.”

Peter McKinlay Institute of Public Policy (368)

Should not expire in June 2012.

The Labour Local Government Sector Council (958)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)
Local Government (Auckland Law Reform) Bill

Keyword: No need to restrict obligations to 30 June 2012.

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)
Noreen Prudence Giles (1202)
Prue Elvidge (1207)
Suzanne Dowling (1215)

Keyword: Oppose

Alastair Jamieson (143)
Catherine Lee (236)
Clive Teare (901)

Concerned that legislation does not provide sufficient guidance on reporting and adherence to Council policies.

Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)
Dr John Salmon (037)
Emily Smith (286)
Grassroots Action Group (973)
GW Powell (979)
Jane Gilmour (009)
Jim Farnell and Jo-ann Farnell (074)
John A Haywardy (906)
Lack of transparency and democratic oversight.

John N. Sloane (808)
Lance R Taylor (959)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Watercare must remain directly open to democratic process.
Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (712)

The Official Information Act must apply to the new Council and to all CCOs in perpetuity. Watercare must remain in public ownership and under democratic control.

Peter McCurdy and family (810)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland’s water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

**Keyword: Should apply to Auckland water organisation.**

Jane Gilmour (009)

Noreen Prudence Giles (1202)

Prue Elvidge (1207)

Suzanne Dowling (1215)

**Keyword: Support**

The New Zealand Water and Wastes Association (127)
**Clause 69 Completion of statement of corporate intent**

**Keyword: Other Comments**

Watercare must be subject to Council policies.

John Railton (5135)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs.

Manukau City Council (957)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.

North Shore Community and Social Services (830)

Should not expire in June 2012. The views of local boards should also be required to be taken into account when developing the Watercare SOI.

The Labour Local Government Sector Council (958)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

**Keyword: No need to restrict obligations to 30 June 2012.**

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Noreen Prudence Giles (1202)

Prue Elvidge (1207)

Suzanne Dowling (1215)

Should remain as statutory requirement permanently. The views of Local boards must also be taken into account in the Watercare Services Statement of Corporate Intent.
There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Watercare must remain directly open to democratic process.

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

The OIA must apply to the new Council and to all CCOs in perpetuity. Watercare must remain in public ownership and under democratic control.
Robyn Laing (091)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

Titirangi Ratepayer and Residents Association (730)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

**Keyword: Should apply to Auckland water organisation.**

Noreen Prudence Giles (1202)

Prue Elvidge (1207)

Suzanne Dowling (1215)
Clause 70 Reports and accounts

Keyword: Other Comments

Reports and accounts need to publicly available to local electors in each local board area.

Edward Exton Fletcher (275)

Clause is inconsistent with the reporting obligations that will apply to the other CCOs.

Manukau City Council (957)

Watercare Services should be required to adhere to all current and additional accountability requirements of Council and a total of half of the members of the Board of Directors should be publicly elected representatives.

Massey Matters (814)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Watercare can make decisions in private and are not required to be transparent. There is no obligation for reporting, funding, pricing asset management plans, etc. The suggestion is that Government intends to allow the Auckland Council to privatise the water company from 2015.

North Shore Community and Social Services (830)

Should not expire in June 2012.

The Labour Local Government Sector Council (958)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

Keyword: No need to restrict obligations to 30 June 2012.

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Noreen Prudence Giles (1202)

Prue Elvidge (1207)
Asset management plans should include detail on future asset maintenance, upgrades and renewal.

Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)

Dr John Salmon (037)

After July 2012 Watercare can run itself as a business rather that a local government organisation (removes all the reporting requirements).

Elisabeth Laird (281)

Emily Smith (286)

Reduces the transparency of decision-making at Watercare.

Gerard Hill (802)

Grassroots Action Group (973)

GW Powell (979)

Jim Farnell and Jo-ann Farnell (074)

John A Haywardy (906)

Lack of transparency and democratic oversight.

John N. Sloane (808)

Lance R Taylor (959)

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

Mona and Bill Townson (093)

Noreen Prudence Giles (094)
Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (712)

The OIA must apply to the new Council and to all CCOs in perpetuity. Watercare must remain in public ownership and under democratic control.

Peter McCurdy and family (810)

Robyn Laing (091)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland’s water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

Titirangi Ratepayer and Residents Association (730)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

**Keyword: Should apply to Auckland water organisation.**

Jim Farnell and Jo-ann Farnell (074)

Noreen Prudence Giles (1202)

Prue Elvidge (1207)

Suzanne Dowling (1215)

**Keyword: Timeframe for meeting obligations too short**

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)
Clause 71 How Watercare Services Limited to set prices

Keyword: Other Comments

Oppose as it will allow the end of public oversight of its own water company.

Bill Leonard (217)

Who stands to benefit from removing water pricing from democratic oversight.

Danielle Romanes (266)

Concern that this may permit Auckland Council to privatise this essential service from mid-2015. Further concern surrounds the ability of Watercare Services to be a cost plus organisation rather than being required to be cost effective now and for the sustainable future.

Devonport Community Board (824)

Auckland Council should have overall direction in the setting of priorities for Watercare Ltd.

Dr Catherine Harvey (273)

Supply of clean household water at a basic manageable cost is seen as a fundamental necessity. Under the proposed legislation, Watercare Services is only required to take into account any policies and directions given by the new Auckland Council until 30 June 2015. The legislation does not give any direction for this CCO monopoly after this date. There are major concerns around the potential for the sale into private hands of water supply in the Auckland region.

Henderson Valley Residents Association (803)

Watercare Services Limited must be subject to Auckland Council policies or directions in setting prices for water.

Karen Brown (764)

Concerned about post 30 June 2015.

Margie Thomson (845)

Watercare Services is only required to take into account any policies of, and any direction given by the new Auckland Council until 30 June 2015. The legislation is silent on any direction for this CCO following this date.

Massey Matters (814)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Would like clarification of the Watercare provisions and that Watercare will remain in public ownership.

North Shore Community and Social Services (830)
Opposed to Watercare being exempt from usual CCO accountability processes.

Pamela Mills (519)

Suggests new wording following suggested change to section 68. As well substitute "give effect to" for "take into account" as this is much stronger.

Peter McKinlay Institute of Public Policy (368)

Currently some existing council policies provide for the remission or postponement of rates for water and wastewater. Does this clause bind Watercare to the remission and postponement policies of the ARC? This creates an inability for Auckland Council to ameliorate water rates as part of rates bill, for rebate recognition. Recommend to clarify whether Watercare is to be bound by existing policies, and if so, until when. Suggest extend to cover rates rebates as Councils policies for remissions on rates will no longer apply.

Rodney District Council (976)

Water pricing should always have democratically elected overseers.

Simon Griffiths (539)

Watercare prices for the first year should be set at no more than 2010 prices less 5 per cent.

Stephen Moore (124)

It is imperative that Watercare Services come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Waikato ratepayers should not be adversely affected by Watercare Services pricing policies. An independent mediator should be appointed in the case of pricing disagreements.

Waikato District Council (201)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

**Keyword: No need to restrict time period to 2015.**

Oppose as any new Directors are able to purchase watercare services, and may set prices for water, and this puts the control of this amenity beyond any form of democratic control.

Adrian Pryor (140)

Bera MacClement (218)

Carol Symington (024)

Clare Davies (246)

D Hodges (045)

Elaine Dyer (048)

Obligations should apply indefinitely

Genevieve Utting (060)
Jeremy Dumble (063)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Oppose as the Auckland Council will be permitted to privatise Watercare Services from June-2015.

Marina Kokanovic (099)

Water pricing will not be subject to Auckland Council policy or direction from mid-2015, and the Auckland Council will be permitted to privatise it from that date.

Mark Paterson (107)

Removes water pricing from democratic oversight (after 30 June 2015).

Peter Friedlander (104)

Watercare Services Limited should continue to be subject to Auckland Council policies or directions in setting prices for water after 30 June 2015.

Philip Jones (015)

Prue Elvidge (1207)

The inclusion of a time limit for compliance means that after 30 June 2015 Watercare Services will to be legally obliged to consider Auckland Council policies or comply with its directions in the setting of prices. The Council supports the intention for Watercare Services to set prices according to the policy of Auckland Council. An amendment to clause 71 removing the date is suggested.

Waitakere City Council (194)

**Keyword: Obligations should apply indefinitely**

Oppose clause as it removes democratic oversight of water pricing.

Aidan Burch (142)

Alastair Jamieson (143)

Watercare Services Limited's water pricing will not be subject to Auckland Council policy or direction from mid-2015, and the Auckland Council will be permitted to privatise it from that date.

Auckland Women's Centre (184)

Avondale - Roskill Residents Association (ARRA) (205)

Barbara Lucy Baragwanath (216)

Clark Thomborson (248)

Community Waitakere Charitable Trust (253)

Daniel Findon and Catherine Murray (259)

Dr M Dale (902)
Local Government (Auckland Law Reform) Bill

Eden Albert Community Board (162)
Elizabeth Anne Jones (278)
Elizabeth Jane Worley (283)

Removing clause would remove democratic oversight to Watercare Services’ decisions.

Jane Gilmour (062)
Lisa Er (964)

Opposed to ‘volumetric’ water pricing.

Lisa Prager (1226)
Melanie Tuscia (728)
Michael Douglas Scott (1212)
Noreen Prudence Giles (1202)
Patricia La Roche (1214)
Peter Thomspon (717)
Prue Elvidge (1207)
SavePapakura (941)
Suzanne Dowling (1215)
Tamaki Community Board (195)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire. This provision should mandate input from elected representatives.

Tet Woo Lee (849)

Prices should be kept to a minimum.

The Labour Local Government Sector Council (958)

Should be amended to guarantee Council control of Watercare Services indefinitely and not merely until 2015. Watercare is a vital public asset and thus must remain under the purview and reasonable statutory jurisdiction of elected local government.

Thomas Walter Harvey (850)
Val Wynd (854)
William Garden (131)

**Keyword: Oppose**

Oppose as any new Directors are able to purchase watercare services, and may set prices for water, and this puts the control of this amenity beyond any form of democratic control.

Adrian Pryor (140)
Oppose as after June 2015 it removes water pricing from democratic oversight as it strips the elected Council of any say in these matters.

Aidan Burch (021)

Removes water pricing from democratic oversight.

Alistair Gillies (147)

The process of pricing water must remain subject to democratic oversight, via the Auckland Council.

Anne Priestley (154)

Audrey van Ryn (151)

Barbara Lucy Baragwanath (216)

Will be able to privatise from mid-2015.

Beatnik Publishing (204)

This clause should be amended to guarantee full public scrutiny of decision making related to public assets.

Bill Leonard (043)

This clause would remove water pricing from democratic oversight. Removes Watercare Services Ltd from democratic oversight.

Bryan Parris (220)

This clause allows Watercare Services Ltd to set uncontrolled prices after 30 June 2015.

Carol Scott (087)

Carol Symington (024)

Catherine Lee (236)

Child Poverty Action Group (244)

Chris Everitt (97656)

City Vision (247)

Clare Davies (246)

Water is fundamental for life and any provision to make a profit from its supply is wrong.

Clive Teare (901)

Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)

D Hodges (045)

Removes democratic oversight.
Allowing democratic oversight.

Dr Alison Towns (320)

Dr John Salmon (037)

Dr M Dale (902)

Dr Paul Cullen (321)

Dr Rosemary Hope Lovell-Smith (106)

Dr Ry Tweedie-Cullen (219)

There should be oversight of Watercare Services.

Drama Magic Ltd (019)

Eden Albert Community Board (162)

Elaine Dyer (048)

Elizabeth Anne Jones (278)

Elizabeth de Man (282)

Elizabeth Jane Worley (283)

Emily Smith (286)

Fiona Johnston (978)

Obligations should apply indefinitely

Genevieve Utting (060)

Watercare will not be subject to Auckland Council policies with the CCO being given the sole right to set water charges to 2015. The provision of water and the affordability of water are major issues and this lacks transparency.

Gerard Hill (802)

Water prices will increase.

Gleen Boyd-Criag (277)

Watercare Services should be subject to the Auckland Council.

Grant La Hood (748)

Grassroots Action Group (973)

Guy Bibby (008)
GW Powell (979)
Harry Russell Haley (115)
Helen Te Hira IHI Action Group (501)
Hilltrud Grueger Springleigh Residents Association (542)
Ian A Gould (066)
Individual Five (552)
Individual Submitter 8 (968)
Removing clause would remove democratic oversight to Watercare Services’ decisions.
Jane Gilmour (062)
Will result in lack of transparency and democratic oversight.
Janice B Cruickshank (373)
Janice Gardiner (075)
Prevents the new Auckland Council issuing directives in relation to water pricing levels and reduces transparency of decision-making.
Jeffery Ronald Saunders (370)
Jeremy Dumble (063)
Jerome Nicholas Partington (068)
Should take into consideration Auckland Council’s directions and policies.
Jim Farnell and Jo-ann Farnell (074)
John A Haywardy (906)
John and Barbara Lusk (34345)
John Kirikiri (909)
Lack of transparency and democratic oversight.
John N. Sloane (808)
Permits privatisation.
Jon Carapiet (879)
Oppose as this clause is undemocratic.
Julie M Gould (069)
Watercare Services Limited should be subject to Auckland Council policies or directions in setting prices for water after 30 June 2015.
Juliet Yates (805)
Kath Dewar (702)
Removes Council control over water pricing, this provision should be deleted.

Kim Walker (908)

Lance R Taylor (959)

Leaf Burrows (020)

Levent Okyay (011)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Lisa Er (964)

Lucy Hawcroft (555)

Luis Lachica (723)

Water pricing should be subject to democratic oversight.

Maire Leadbeater (914)

Manfred Staab (012)

Water is a basic necessity of life, not something to be run for profit.

Margaret Bijl (912)

Oppose as the Auckland Council will be permitted to privatise Watercare Services from June-2015.

Marina Kokanovic (099)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

Water pricing will not be subject to Auckland Council policy or direction from mid-2015, and the Auckland Council will be permitted to privatise it from that date.

Mark Paterson (107)

This clause remove all accountability from Watercare Services Ltd.

Martin and Sheila Hayes (013)

Oppose this clause as it removes all accountability from Watercare Services Ltd.

Martin and Sheila Hayes (089)

Water is an asset for which there needs to be a firm control over pricing. Clause should be removed.

Mary-Ann de Kort (822)

Megan Vertelle (724)
Auckland Council must be able to set policies and direction for setting the price of water.

Nadine McDonnell (937)

Neil Miller (522)

New Zealand Council of Trade Unions (512)

Oppose as the Auckland Council will be permitted to privatise after mid-2015.

Nexus Senior Sustainability Group (707)

Noreen Prudence Giles (094)

Northern Amalgamated Workers Union (934)

Submitter opposes this clause and seeks that it is deleted.

NorthWestern Community Association (936)

Removes control of pricing of Watercare Services from voters' knowledge and control.

Owen and Joy Lewis (103)

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Patricia M Reade (712)

Watercare Services and their decisions, particularly about prices, should always be subject to the scrutiny of the citizens of Auckland.

Patrick Doherty (833)

Peta Joyce (526)

Peter Aimer (931)

Peter Bartlett (928)

Removes water pricing from democratic oversight (after 30 June 2015).

Peter Friedlander (104)

Watercare must remain in public ownership and under democratic control.

Peter McCurdy and family (810)

Peter Thomspon (717)

Peter Wichman (067)

Watercare Services must be subject to Auckland Council policies or direction in setting water prices.

Phil Chase (718)
Local Government (Auckland Law Reform) Bill

Watercare Services Limited should continue to be subject to Auckland Council policies or direction in setting prices for water after 30 June 2015.

Philip Jones (015)

Pippa Coom Grey Lynn 2030 (293)

Watercare is meant to be an organisation working for the Council and its ratepayers.

Princes Street Branch, New Zealand Labour Party (837)

Ramon Thackwell (090)

Robert Richards South Titirangi Ratepayers and Residents (541)

Robyn Laing (091)

Roger and Joanna Booth (098)

Sandro Kopp (546)

SavePapakura (941)

Sigrid Shayer (538)

Removes water pricing from democratic oversight after 30 June 2015.

Steve Marshall (844)

Auckland Council will be permitted to privatise from mid-2015.

Su Yin Khoo (845)

The Auckland Council must be able to set policies and direction for the setting of prices for water.

Susan Potter (847)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

This provision should be deleted.

The Auckland (130)

Watercare Services should comply with any direction given by the Auckland Council when setting prices.

The New Zealand Water and Wastes Association (127)

Titirangi Ratepayer and Residents Association (730)

Toa Greening (556)

Tony Siu (736)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.
Trevor G Bridge (119)
Removes water pricing from democratic oversight (after 30 June 2015).

Veronica Friedlander (120)
Delete provision.

Waiheke Gulf News (740)
The inclusion of a time limit for compliance means that after 30 June 2015 Watercare Services will to be legally obliged to consider Auckland Council policies or comply with its directions in the setting of prices. The Council supports the intention for Watercare Services to set prices according to the policy of Auckland Council. An amendment to clause 71 removing the date is suggested.

Waitakere City Council (194)
Watercare Services should be subject to Auckland Council policies and directions providing democratic oversight.

Warwick and Janet Sumpter (863)

Wendy John (868)

William Garden (131)

Keyword: Should apply to any Auckland water organisation
Obligations should apply indefinitely.

Genevieve Utting (060)
Clause would remove democratic oversight of Watercare Services' decisions.

Jane Gilmour (062)

Jerome Nicholas Partington (068)
Should take into consideration Auckland Council's directions and policies.

Jim Farnell and Jo-ann Farnell (074)
Opposed to 'volumetric' water pricing.

Lisa Prager (1226)
This clause removed all accountability from Watercare Services Ltd.

Martin and Sheila Hayes (013)

Michael Douglas Scott (1212)

Noreen Prudence Giles (1202)

Patricia La Roche (1214)

Prue Elvidge (1207)

Suzanne Dowling (1215)
Local Government (Auckland Law Reform) Bill

Clause 72 Employees and members of Auckland Council must not be directors of Watercare Services Limited

Keyword: Other Comments

A majority of the directors of Watercare must be elected Auckland councillors.

Lucy Hawcroft (555)

Remove clause, The Auckland Council should determine the appointments process.

Manukau City Council (957)

There is lack of transparency and democratic oversight about the Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Councillors should be allowed to be directors.

Simon Griffiths (539)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

Keyword: Not agree with restriction

Alastair Jamieson (143)

Removes Watercare from democratic oversight.

Barbara Lucy Baragwanath (216)

Those who know best are excluded.

Bera MacClement (218)

Oppose unelected individuals being in charge of transportation, utilities and any other CCOs. There should be full public elections for a single individual to oversee each service, allowing the public to choose a councillor.

Bill Leonard (217)

Half the total number of the Board of Directors of Watercare Services Ltd should be publicly elected representatives.
Community Waitakere Charitable Trust (253)
Half the Board of Directors should be publicly elected representatives.

Community Waitakere Charitable Trust (253)
Removes democratic accountability.

Devonport Community Board (824)
Donna Wynd and David Benson (100)
Elaine Dyer (048)
Clause removes democratic oversight.

Genevieve Utting (060)
Jim Farnell and Jo-ann Farnell (074)
Maire Leadbeater (914)
Margaret Todd (911)
Martin and Sheila Hayes (089)
Removes democratic oversight.

Peter Friedlander (104)
The ban on councillors being on the Watercare Board should be deleted, that should be a decision of the Council.

The Labour Local Government Sector Council (958)
The majority of Watercare directors must be elected councillors not appointed officials who have no mandate.

Val Wynd (854)
William Garden (131)

**Keyword: Oppose**

Oppose as this clause removes the possibility of any democratic oversight of this key asset.

Aidan Burch (021)
This clause prevents councillors being directors of Watercare Service and prevents public oversight of its activities.

Andrew Miller (018)
The Auckland Council should be represented on Watercare Services Limited, and this possibility must be retained. Would prefer mandatory representation of the Auckland Council on Watercare.

Anne Priestley (154)
Audrey van Ryn (151)
Removes Watercare from democratic oversight.
Barbara Lucy Baragwanath (216)

Oppose unelected individuals being in charge of transportation, utilities and any other CCOs. There should be full public elections for a single individual to oversee each service, allowing the public to choose a councillor.

Bill Leonard (217)

With no directors from Auckland Council, Watercare Services Limited will not have any democratic oversight.

Browyn Cheryl Dutton (033)

Catherine Lee (236)

Child Poverty Action Group (244)

Half the Board of Directors of Watercare Services should be publicly elected.

Chris Everitt (97656)

City Vision (247)

Half the total number of the Board of Directors of Watercare Services Ltd should be publicly elected representatives.

Community Waitakere Charitable Trust (253)

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)

Removes any democratic input.

Daniel Findon and Catherine Murray (259)

Removes it from any semblance of democratic oversight.

Dave Breur (268)

Donna Wynd and David Benson (100)

Dorte Wray (260)

Dr John Salmon (037)

Dr Paul Cullen (321)

Dr Ry Tweedie-Cullen (219)

Should retain democratic oversight of Watercare Services.

Drama Magic Ltd (019)

Elaine Dyer (048)

No publicly elected members or employees of Auckland Council are allowed to be directors on the board of Watercare. Auckland City owns the asset but is not allowed to run it.
Clause removes democratic oversight.

Removes democratic oversight of Watercare Services.

Lack of transparency and democratic oversight.

Oppose as this clause is undemocratic.
Local Government (Auckland Law Reform) Bill

Linda Kaiou (071)
Maire Leadbeater (914)
Manfred Staab (012)
Margaret Todd (911)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

This clause prohibits council representation or oversight of Watercare Services Ltd.

Martin and Sheila Hayes (013)

Martin and Sheila Hayes (089)

Decision making should be restored to the Council under the Bill.

Mary-Ann de Kort (822)

Having citizen elected representatives able to act as directors on the board would provide some public accountability and community input into any decisions reached. Concerned about what accountability and transparency this entity will have in future to the public.

Massey Matters (814)

Michael Andreasen (1201)

Mona and Bill Townson (093)

Members of the new Auckland Council must be able to be the majority of directors of Watercare Services Limited.

Nadine McDonnell (937)

Noreen Prudence Giles (094)

Northern Amalgamated Workers Union (934)

Explicitly state that existing privatisation protection still applies to Watercare and will in the future.

Patricia M Reade (712)

Patricia M Reade (926)

Watercare Services must be subject to the oversight of the Auckland City Council.

Patrick Doherty (833)

Peter Aimer (931)

Peter Bartlett (928)

This clause removes Watercare Services Ltd from democratic oversight.

Peter Friedlander (930)

Watercare must remain in public ownership and under democratic control.
Peter McCurdy and family (810)

Elected councillors, or those appointed by the Council, should be represented on the board of Watercare Services Limited.

Philip Jones (015)

Pippa Coom Grey Lynn 2030 (293)

Prue Elvidge (1207)

Robin Campbell (0114)

Robyn Laing (091)

Roger and Joanna Booth (098)

Ron R Miller (1229)

Steve Marshall (844)

Opposed to this clause because of the lack of oversight from elected representatives. Members of the new Auckland Council must be able to be majority directors of Watercare Services Limited.

Susan Potter (847)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)

Suzanne Dowling (1215)

The ban on councillors being on the Watercare Services Board should be deleted, that should be a decision of the Council. Tamaki Community Board (195)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)

Titirangi Ratepayer and Residents Association (730)

Tony Siu (736)

Undermines democratic process.

Tracey Ann MacLeod (126)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

Veronica Friedlander (120)

Auckland Council should be represented on the board and should not be excluded.

Warwick and Janet Sumpter (863)
Keyword: Other Comments

Sale should be decided at the 2013 elections.
Danielle Romanes (266)

Bill must prevent post 2015 sale.
Denise Roche (263)

The public ownership of Watercare must be guaranteed in law.
Doris de Pont (269)

Opposed to privatisation of Watercare Services Ltd.
Dr Catherine Harvey (273)

Should be strengthened to prevent asset sales at under value.
Geoffrey John Beresford (350)

Sends mixed message about whether Cabinet has allowed for the new water company to be privatised after 2015.
Gerard Hill (802)

Watercare must remain in public hands.
Hilary Jones (5442)

Opposed to asset sales.
Ian Gordon (502)

The submitter proposes that: The transition provisions for the change of Watercare Services to an Auckland water organisation be clarified, and Auckland water organisation is able to make, amend and revoke bylaws with the Auckland Council's approval.
IPENZ Engineers New Zealand (367)

Opposed to sale.
John Railton (5135)

Opposed to sale of Watercare.
Jon Randall Farrant (355)

There is lack of transparency and democratic oversight about Watercare provisions. The Government should
explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Dangerous to privatise.

Pamela Mills (519)

Must remain in public ownership and under democratic control.

Peter McCurdy (530)

Privatisation of an efficient system of selling water seems a foolish and expensive move.

Preserve the Swanson Foothills Society Inc. (838)

Regional water supply should be coordinated by a department or committee of a Regional Council and legislation should protect the public of that water supply in perpetuity. There should not be arms length CCOs or private ownership/management. Any decisions over future provision of "3 Waters" services must be made with the full consultation of the people of the Auckland Region.

Ross Williams (532)

This clause should include a provision that no privatisation or franchise agreement be permitted for water and wastewater services in Auckland unless consultation delivers a clear mandate from the people of Auckland.

SavePapakura (941)

It is imperative that Watercare Services should come under the strategic directions of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport with economic and social issues of the region.

Three (893)

**Keyword: No need for restrictions**

Opposed, we the ratepayers are shareholders with not basic rights.

Lance Taykor (601)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

**Keyword: No need to have cut off date for obligation (ie Auckland Council should never be permitted to sell shares in Watercare, wind Watercare up, or sell Watercare assets).**

Only directors who are democratically voted should be able to make significant business decisions on behalf of the Auckland community.

Adrian Pryor (140)

Aidan Burch (142)

Alastair Jamieson (143)

Alex Lanning (145)
Avondale - Roskill Residents Association (ARRA) (205)

Water services must remain in hands of Aucklanders - not privatised.

Ben Clark (214)
Carol Symington (024)
Christine Ross PSA (550)
Clare Davies (246)

Community Waitakere Charitable Trust (253)
Craig Vincent Powell (264)

It prepares the privatisation of Watercare Services Limited.

Daniel Findon and Catherine Murray (259)

Dennis Brown (270)

Dr Rosemary Hope Lovell-Smith (106)

Edward Exton Fletcher (275)

Oppose as consider this opens up the possibility of privatisation of Watercare Services Limited by the Auckland Council from 1 July 2015.

Elaine Dyer (048)

Clause needs to be inserted to prevent water assets from being privatised or entered into franchise agreements.

Elizabeth de Man (282)

Elizabeth Jane Worley (283)

Genevieve Utting (060)

Glenfield Community Board (163)

Jane Gilmour (062)

Not clear whether Cabinet decided to allow the Auckland Council to privatise the new water company from 2015. Strongly oppose any such privatisation of such an important and pristine asset and call on the Government to explicitly state that existing privatisation protections still apply to Watercare.

Janice B Cruickshank (373)

Jeffery Ronald Saunders (370)

Jerome Nicholas Partington (068)

Jim Farnell and Jo-ann Farnell (074)

John Elliott (081)

The ownership of public assets should be established in perpetuity.
Local Government (Auckland Law Reform) Bill

Jon Carapiet (879)
Julia Meek (809)
Kath Dewar (702)
Kit Howden (065)

Water is the life blood of civilisation, whoever holds the right to switch on or off, has the power to control the cost without the responsibility of the results.

Last Light Limited (600)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)
Lisa Prager (1226)
Luis Lachica (723)
Lydia Sosene (1228)

Water should never be privatised.

Lynette Loris Reed and Graeme Noel Reed (1227)
Margaret Todd (911)
Franklin District Council (509)
Martin and Sheila Hayes (089)

Water assets should not be privatised and the Council should maintain control over this to ensure both supply and cost at a reasonable cost. The Bill should be amended to preserve ownership of this asset now and in the future.

Mary-Ann de Kort (822)

Want reassurance that Watercare will remain in public ownership in perpetuity.

Massey Matters (814)
Megan Vertelle (724)
Noreen Prudence Giles (1202)

Don’t believe that the Auckland Council ever has the right to privatise the people’s water services in July 2015 or at any time unless there has been an open and considered mandate from the people.

Patrick Doherty (833)

Opens up possibility of privatisation of Watercare Services by Auckland Council (from 1 July 2015).

Peter Friedlander (104)
Prue Elvidge (1207)
Auckland's assets must not be privatised but stay in public ownership.

Robin Linda Duke (840)
Ron R Miller (1229)
Shirley Rosa Hardwick (638)
Susan Washington (848)
Suzanne Dowling (1215)

Preventing privatisation.

Tamaki Community Board (195)

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

Tet Woo Lee (849)
The Labour Local Government Sector Council (958)
Titirangi Ratepayer and Residents Association (730)
Tonga Confederated Society of New Zealand (733)

Auckland's water must remain in public ownership. Watercare must be protected from privatisation.

Val Wynd (854)

Object to the prospect of ever selling off the provision of water to the commercial sector. Water should always be the responsibility of those elected by the people.

Valma and Ernie Gidman (133)

Watercare's assets should be prohibited from sale so as not to risk compromising the Auckland Council's decision making post-2015. 73(2) is amended by adding "(2) The Auckland Council may decide, at its discretion, how it will provide water and wastewater services in Auckland on and from 1 July 2015 providing this does not involve privatisation of any or all of its assets."

Waitakere City Council (194)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)
William Garden (131)
Yvonne Dufaur (641)

**Keyword: Oppose**

Only directors who are democratically voted should be able to make significant business decisions on behalf of the Auckland community.

Adrian Pryor (140)

Oppose as this clause opens up the possibility of privatisation of Watercare Services Limited by the Auckland Council from 1 July 2015.
This clause opens up the possibility of privatisation of Watercare Services Limited by the Auckland Council from 1 July 2015.

Alistair Gillies (018)

There should be an indefinite restriction on the sale of council assets without a referendum.

Andrew Miller (018)

Anne Priestley (154)

Audrey van Ryn (151)

73(1) delete the words "until the end of 30 June 2015". 73(2) delete.

Bera MacClement (218)

Oppose because it has the effect of opening up a public water company to private purchase. Ideally no monopoly should be in private company hands without the empowerment of the voting public to cancel the company's contract by a majority vote at any time, initiated by a petition signed by no fewer than 10 per cent of the region's voters roll.

Bill Leonard (217)

Oppose the special treatment given to Watercare under the Bill and request the Bill be amended to treat Watercare the same as all other CCOs. The Bill's treatment supports public allegations that Auckland's water and wastewater are being prepared for takeover by private companies.

Brian Van Dam (232)

This clause opens up the possibility of privatisation of Watercare Services by Auckland Council from 1 July 2015.

Browyn Cheryl Dutton (033)

From July 2015 the Auckland Council will be able to privatise Watercare Services Ltd which should always be in public ownership and control.

Carol Scott (087)

Do not want Waitakere Water privatised. Profit is always more of an incentive than public good.

Caroline Mabry (233)

Catherine Lee (236)

City Vision (247)

Clare Davies (246)

Community Waitakere Charitable Trust (253)

Oppose underlying agenda of this Bill to move towards privatisation of core council services such as the provision of water.

Community Waitakere Charitable Trust (253)
There appears to be a lack of transparency about how the provision of water will be owned and managed in a
democratic manner.

Coralie van Camp (035)
Existing privatization protections need to still apply to Watercare.

Cr June Turner, Roger and Zola Turner (620)
Opens up the possibility of privatisation of Watercare Services Ltd by the Auckland Council from 1 July 2015.

Dave Breur (268)
Opposed to privatisation of water supply.

David Spencer Trapp (026)

Dorte Wray (260)

Dr John Salmon (037)

Dr Paul Cullen (321)

Dr Rosemary Hope Lovell-Smith (106)

Dr Ry Tweedie-Cullen (219)

This clause opens the possibility of the privatisation of water.

Drama Magic Ltd (019)

Oppose the special treatment given to Watercare under the Bill and request the Bill be amended to treat
Watercare the same as all other CCOs. The Bill's treatment supports public allegations that Auckland's water
and wastewater are being prepared for takeover by private companies.

Eileen Van Dam (276)

Oppose as consider this opens up the possibility of privatisation of Watercare Services Limited by the
Auckland Council from 1 July 2015.

Elaine Dyer (048)

After July 2015 Auckland City can choose to sell Watercare and no consultation with the electorate is
required.

Elisabeth Laird (281)

Elizabeth Jane Worley (283)

Emily Smith (286)

Fiona Johnston (978)

Genevieve Utting (060)

Grant La Hood (748)

Grassroots Action Group (973)

Guy Bibby (008)
Opposes privatisation of Watercare Services Limited.

Ian A Gould (066)

Individual Five (552)

This clause opens up the possibility of privatisation of Watercare Services Limited by the Auckland Council from 1 July 1015.

Jane Gilmour (009)

Not clear whether Cabinet decided to allow the Auckland Council to privatise the new water company from 2015. Strongly oppose any such privatisation of such an important and pristine asset and call on the Government to explicitly state that existing privatisation protections still apply to Watercare.

Janice B Cruickshank (373)

Janice Gardiner (075)

Jeffery Ronald Saunders (370)

Jerome Nicholas Partington (068)

Jim Farnell and Jo-ann Farnell (074)

John A Haywardy (906)

John and Barbara Lusk (34345)

Lack of transparency and democratic oversight. Not clear whether Cabinet decided to allow the Auckland Council to privatise the new water company from 2015. Strongly oppose any such privatisation of such an important and pristine asset and call on the Government to explicitly state that existing privatisation protections still apply to Watercare.

John N. Sloane (808)

Oppose this clause and the privatisation of Watercare Services Limited.

Julie M Gould (069)

Watercare Services should be retained in public ownership.

Juliet Yates (805)

Juliette Laird (701)

Kath Dewar (702)

CCOs will have very little transparency or accountability and the provisions for Watercare Services mean that the provision of water and wastewater services could be privatised after 2015. Want to see the Bill strengthened to ensure this cannot happen.

Kayla Mackenzie-Kopp (806)

Lance R Taylor (959)
Opposed, we the ratepayers are shareholders with no basic rights.

Lance Taykor (601)

Water is the life blood of civilisation, whoever holds the right to switch on or off, has the power to control the
cost without the responsibility of the results.

Last Light Limited (600)

Does not support the sale of assets.

Leaf Burrows (020)

Levent Okyay (070)

Watercare must be subject to Auckland Council policies and directions in setting price for water after 30 June
2015. Decision making processes must remain transparent after June 2012. Watercare should be protected
from being privatised after June 2015.

Linda Kaiou (071)

Lucy Hawcroft (555)

Luis Lachica (723)

Manfred Staab (012)

Margaret Todd (911)

Watercare must remain directly open to democratic process.

Mark Crossley (816)

This clause opens up the possibility of the privatisation of water in Auckland.

Martin and Sheila Hayes (013)

Megan Vertelle (724)

Mona and Bill Townson (093)

Opposes possible privatisation of Watercare Services Limited.

Nadine McDonnell (937)

The provision will serve to encourage Watercare Service Limited to adopt a strong business like performance
discipline on pricing and services but will also create uncertainty about the long-term future of Watercare
Services Limited. It is recommended that this clause is deleted.

New Zealand Council for Infrastructure Development (949)

New Zealand Council of Trade Unions (512)

Noreen Prudence Giles (094)

Northern Amalgamated Workers Union (934)

Oppose any attempt to open Watercare Services to privatisation.

Owen and Joy Lewis (103)
Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

Don't believe that the Auckland Council ever has the right to privatisate the people's water services in July 2015 or at any time unless there has been an open and considered mandate from the people.

Opens up possibility of privatisation of Watercare Services by Auckland Council (from 1 July 2015).

Watercare must remain in public ownership and under democratic control.

There should be no privatisation of Watercare Services limited by the Auckland Council.

Legislation unclear if Watercare can be privatised after 2015.

Auckland has no need and no demand for privatised water.

Opens up the possibility of privatisation of Watercare Services Limited by the Auckland Council from 1 July 2015.

Opposed to the privatisation of Watercare.

Opens up the possibility of privatisation of Watercare Services Ltd by the Auckland Council from 1 July 2015 and opposes this.

Makes possible the privatisation of Watercare Services Limited.
Local Government (Auckland Law Reform) Bill

Susan Potter (847)
Susan Washington (848)

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

Susanne Vincent (726)
Titirangi Ratepayer and Residents Association (730)

Undermines democratic process.

Tracey Ann MacLeod (126)

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.

Trevor G Bridge (119)

Object to the prospect of ever selling off the provision of water to the commercial sector. Water should always be the responsibility of those elected by the people.

Valma and Ernie Gidman (133)

Opens up the possibility of privatisation of Watercare Services by the Auckland Council (from 1 July 2015).

Veronica Friedlander (120)
Wendy John (868)
William Garden (131)

**Keyword: Support**

Public assets should not be sold.

Stephen Moore (124)
Keyword: Other Comments

There is lack of transparency and democratic oversight about Watercare provisions. The Government should explicitly state that existing privatisation protections still apply to Watercare.

Nevine Tawfik (831)

Should not expire in 2015.

The Labour Local Government Sector Council (958)

It is imperative that Watercare Services should come under the strategic direction of the Supercity and that the major strategic planning issues of Auckland coordinate water provision and removal, and transport, with economic and social issues of the region.

Three (893)

Existing protection from privatisation should remain.

Warwick and Hueline Massey (862)

Keyword: No reason to have obligation specified to 1 July 2015

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Linda Kaiou (071)

Prue Elvidge (1207)

Titirangi Ratepayer and Residents Association (730)

Keyword: Oppose

There appears to be a lack of transparency about how the provision of water will be owned and managed in a democratic manner.

Coralie van Camp (035)

Dr John Salmon (037)

Emily Smith (286)

Grassroots Action Group (973)
Lack of transparency and democratic oversight.

Watercare must be subject to Auckland Council policies and direction in setting price for water after 30 June 2015. Decision making processes must remain transparent after June 2012. Watercare should be protected from being privatised after June 2015.

Watercare must remain directly open to democratic process.

Explicitly state that existing privatisation protections still apply to Watercare and will in the future.

No clauses limiting public accountability, transparency of decision-making or asset stewardship of Auckland's water utility should be contained in this Bill, unless the majority of the citizens of Auckland have voted in favour of change.

These provisions are important to ensure Watercare is run in the best interests of Aucklanders. These provisions should be amended so that the provisions do not expire.

The operations and decision-making of publicly-owned organisations should be transparent and run by the council.
Exempt acquisitions by the Auckland Council or one of its CCOs of a shareholding or any voting securities in Auckland International Airport Limited.

Auckland City Council (545)

Disappointed that the Takeovers Code being overridden. The uncertainty the clause is designed to remove is faced by all companies subject to the Takeovers Code. If the 22.8 per cent shareholding varies the prohibition no longer applies. Amend by applying to any Council shareholding up to 22.8 per cent. This would limit shareholding to 22.8 per cent.

Charles Spillance Auckland Airport (176)

This clause concerning the Airport Shares should refer to a greater than 20 per cent shareholding rather than 22.8 per cent, as the shareholding is slightly less that 22.8 per cent.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

This clause re the Airport shares should refer to a greater than 20 per cent shareholding rather than 22.8 per cent as the shareholding is slightly less that 22.8 per cent and varies over time.

The Labour Local Government Sector Council (958)

Keyword: Oppose

The Bill should provide for the selling of the shares or transfer to be held in trust outside political control.

Brian and Sue Oakes (227)

Keyword: Support

The current Bill does not specify what would happen if the Auckland Council is not satisfied with Auckland Transport’s contribution to the council’s objectives.

Forum for Auckland Sustainable Transport (292)

Manukau City Council (957)
No submissions were received on this clause.
No submissions were received on this clause.
Clause 78 Council may have rates transition management policy for 3-year period commencing 1 July 2012

Keyword: Support

Supports phasing-in of rate changes over a three year period.

Botany Community Board (950)
Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)
North Shore Town Centres Group (511)

Keyword: Other Comments

Auckland Regional Council recommends:
- that there be provision for a dollar limit on the maximum rate increase and decrease limit as well as a percentage, a maximum change of which is greater;
- that there is an option to have a different maximum rate decrease limit from the maximum rates increase limit; and
- that the transition rate be calculated on the total rating liability for each ratepayer excluding any rate charged for a local infrastructure loan.

Auckland Regional Council (916)
The current level of rates paid by elderly residents should be 'grandparented' in the initial transition phase.

Grey Power North Shore Inc. (296)
Omit (2) and (3). If not then amend (2) to provide that a rates transition management policy may identify different change limits for rates increases and decreases.

Auckland City Council (545)
A three-year transitional period for moving to a single rating system based on capital value is proposed in the Bill. The Forum thinks that this adjustment period is relatively short and notes that the Auckland Council may need to seek an extension once detailed work on rating options for the new Council are examined. The establishment of the Auckland Council presents an opportunity to review the differential rating of businesses.

Local Government Forum (877)
Remove as councils already have these powers under the Local Government (Rating) Act 2002.

Local Government New Zealand (543)
Support for a three year transition to a single rating system and the ability to phase this in through a rates transition management policy.

Mt Eden Village Mainstreet and Business Association Incorporated (109)
The Bill should require that a policy be adopted. The Bill should give guidance on the maximum permissible
change limit the Auckland Council can adopt. The Bill should address passive utilities separately and adopt a unique change limit tailored specifically for passive utilities.

New Zealand Refining Company Limited (969)

The rating model has been imposed without consultation.

Te Atatu Peninsula Business Association Inc (940)
Clause 79 How Council must apply rates transition management policy

**Keyword: Support**

Auckland Regional Council supports this clause.

Auckland Regional Council (916)

Supports phasing-in of rate changes over a three year period.

Botany Community Board (950)

**Keyword: Other Comments**

Rates should not change by more than CPI each financial year. Rates invoices should contain statement of rates assessment from previous year.

Edward Exton Fletcher (275)

Concerned at the rating policy. The plethora of rates and charges outlined in the Bill make grim reading, at least 5 types of rating are described. The Bill should not have embedded percentage increases in it. The Bill should streamline rates and ensure that regardless of where one lives, a fair system which is not annually increased/decreased by a percentage is brought in with this Bill.

Gayleen Mackereth (351)

The Bill should require that a policy be adopted. The Bill should give guidance on the maximum permissible change limit the Auckland Council can adopt. The Bill should address passive utilities separately and adopt a unique change limit tailored specifically for passive utilities.

New Zealand Refining Company Limited (969)

Concerned rates will go up a lot to pay for this change.

Pita Vete (836)

There is a lack of clarity as to what the intention of this section is, and what action should be taken to implement it. Recommend clarify intention and action to be taken.

Rodney District Council (976)

Waikato District Council seeks to have the same rating transition provisions as provided to the Auckland Council.

Waikato District Council (201)
No submissions were received on this clause.
Keyword: Other Comments

Rates increases will lead to affordability issues for significant numbers of ratepayers.

Stephen Moore (124)

There should be consultation on the most equitable rating methodology.

William Garden (131)
Clause 82 Council authorised to collect and deal with balance of rating matters for 2010/2011 financial year

No submissions were received on this clause.
Clause 83 Rates for 2011/2012 financial year

Keyword: Other Comments

Amend clause to ensure the transition rate is calculated as a uniform percentage variation from the total rates liability for each rating unit, less any local infrastructure loans and any rates for water supply or wastewater services.

Auckland Regional Council (916)

To empower each local community to improve their own area according to their own priorities and to free Auckland councillors and the Mayor to focus upon regional matters, request that the Bill be altered to require Auckland Council to issue a single bill for all rates and council utilities (separately itemised), including a separate local rate (to be set annually by the relevant local board) and regional rate (to be set annually by the Auckland Council). This permits the current diversity of views as to appropriate levels of council service provision to be reflected and funded in a local rate for each local community, while allowing the full Auckland Council to set and fund rates for provision of those amenities that are truly regional in nature.

Brian Van Dam (232)

Clause needs to be amended to replace "uniform percentage variation" with "CPI".

Edward Exton Fletcher (275)

There will be three other local authority rating entities (Auckland War Memorial, Museum of Transport and Technology and the Auckland Regional Amenities Fund). If their charges increase at the same rate as previous year this would have a major impact on the elderly and low income earners.

Grey Power North Shore Inc. (296)

A uniform approach is not appropriate as it fails to recognise that passive utilities do not cause costs to councils and derive little benefit from council services. It is more appropriate that any percentage variation should be tailored to specific activity classes.

New Zealand Refining Company Limited (969)

Recommend reword to "is subject to section 61 of this Auckland Council Act" as current wording is unclear.

Rodney District Council (976)

The rates burden needs to be reduced.

Stephen Moore (124)

Provide that the existing councils’ current rates policies and projected rates increases set out in their LTCCPs should continue, with a uniform percentage increase applied only if there is a shortfall. Amend to provide that any uniform percentage increase that is applied does not apply to targeted rates.

Auckland City Council (545)

To empower each local community to improve their own area according to their own priorities and to free Auckland councillors and Mayor to focus upon regional matters, request that the Bill be altered to require Auckland Council to issue a single bill for all rates and council utilities (separately itemised), including a separate local rate (to be set annually by the relevant local board) and regional rate (to be set annually by the Auckland Council). This permits the current diversity of views as to appropriate levels of council service provision to be reflected and funded in a local rate for each local community, while allowing the full Auckland
Council to set and fund rates for provision of those amenities that are truly regional in nature.

Eileen Van Dam (276)

**Keyword: Opposed**

Bryan Parris (006)

Guy Bibby (008)

Jane Gilmour (009)

Manfred Staab (012)
Keywords: Other Comments

Auckland Regional Council recommends that the grounds on which the governing body may decline a proposal for a targeted rate in 2011/12 are broadened.

Auckland Regional Council (916)

Support

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Notes that while it is proposed to provide an opportunity for additional mechanisms to raise local revenue which may soften the proposals for targeted rates, it is concerned as to what this local revenue is required to fund. In low-rated areas it may just be unrealistic to increase the rating burden. In higher rated areas, residents are concerned that if the baseline for service standards is set at a low level, then they will be called upon to fund the maintenance of services to current standards.

Devonport Community Board (824)

Oppose targeted rates as they are a way of trying to hide rates increases or move them. There should be one rate charged across the city.

Gavin Logan (352)

The need for equitable and reasonable change to the rating base needs to be given - it will be a complex process with winners and losers. It is important that elderly home owners are not in the loser category.

Grey Power North Shore Inc. (296)

Business Improvement Districts should be separated from other community initiatives within the targeted rating policy.

Mangere Bridge Progressive Business Assn Inc (915)

Support for targeted rate proposals to be included in documents pertaining to the 2011/12 financial years.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

Support

North Shore Town Centres Group (511)

Supportive of the idea of some different funding between local board areas, however council is concerned that there is the potential for the Auckland Council to "off-load" its responsibilities for local areas by requiring targeted rates to be set for core services. Should this happen, the scenario might arise where there is considerable disparity between the services provided to high income areas compared to low income areas. The Select Committee should look into mechanisms to avoid such a situation such as a percentage cap on the amount of rates that can be local board area targeted rates as proportion of the total rates set.

Papakura District Council (196)
Funding for our business association is via targeted rates. This is paid by our members in addition to general rates to enable us to promote, improve and enhance our business area. It is essential that as a small business area the money collected from this area is used in this area to maintain and improve the standard.

St Heliers Village Association (843)

Targeted rates should be discontinued; rates should be based on capital value.

Stephen Moore (124)

The distribution of rates and the development of budgets based on rate collections need to be tailored to coincide with the areas identified for local body representation. Rodney is split into three wards. A significant percentage of the rates from the South Western Wards should be utilised in that Ward.

Taupaki Resident and Ratepayers Association (939)

Targeted rating to be used sparingly. Local boards need to be adequately funded and not rely on raising additional targeted rates for their work.

Titirangi Ratepayer and Residents Association (730)
No submissions were received on this clause.
No submissions were received on this clause.
Keyword: Other Comments

Auckland Regional Council recommends that the Bill requires the Auckland Transition Agency to include a new rates remissions policy for 2011/12 in the Planning Document.

Auckland Regional Council (916)

All citizens within the Auckland region should be levied to fund local amenities.

Dr Lorna Dyall (057)

The full cost of the transition to one council has not been fully assessed. This will place a financial burden on rate payers that will take years to recoup.

Jacqueline Amoamo (076)
No submissions were received on this clause.
Keyword: Other Comments

Submitter proposes that the Bill makes a clear distinction between Financial Contributions under the RMA and Development Contributions under the Local Government Act.

Submitter recommends against the use of development contributions and suggests that alternative means are found of financing local government.

Centre for Resource Management Studies (239)

Clause 89 (4): should be amended to read: "...with effect from 1 July 2011, remove the Auckland Council's power to require a development contribution for water and waste-water purposes." Propose that clause should state that development contributions put in place after 30 June 2012 apply even if inconsistent with policies in place prior to 30 June 2012.

Greg Marr - Alethica Ltd (144)

Clarity is needed around the status of the policy. Until Auckland Council adopts its own policy we are in a transitional state. Recommend amendment to reword, as suggested in full submission.

Rodney District Council (976)

Watercare intends to use Network Upgrade Charges for water and wastewater infrastructure costs driven by growth. This carries complications and legal risk and has never been legally challenged in NZ before. Council submits that water and wastewater capital expenditure required for population growth should be funded by development contributions until these legal matters are resolved and the new development contributions policy of the Auckland Council is adopted. Council recommends an amendment to clause 89, by the removal of clause 89(4).

Waitakere City Council (194)

A new clause 89A is suggested to allow the Waikato and Hauraki District Councils to lawfully charge, from 1 November 2010 the catchment areas transferred from the Franklin district for capital expenditure. Please see submission for suggested wording of amendment. New clause 89A is based on clause 89.

Waikato District Council (201)
**Keyword: Other Comments**

Recommend that clause 90 is amended so that subsection (3) relates to the Local Government Act 2002 section 209 (1)(a)(b)(c), and subsection (6) relates to the Local Government Act 2002 section 209 (1)(d).

Greg Marr - Alethica Ltd (144)

Until it can be confirmed that the area to be transferred to Hauraki has no water or wastewater infrastructure assets, this provision should not apply to the area being transferred.

Hauraki District Council (165)

A rewording is suggested, see full submission. The section needs clarification and to refer to Financial Contributions.

Rodney District Council (976)

The Local Government (Auckland Law Reform) Bill should provide that Waikato District Council review and replace all existing development contributions policies inherited from transfer of parts of the Franklin district by 30 June 2012.

Waikato District Council (201)

Watercare intends to use Network Upgrade Charges for water and wastewater infrastructure costs driven by growth. This carries complications and legal risk and has never been legally challenged in NZ before. Council submits that water and wastewater capital expenditure required for population growth should be funded by development contributions until these legal matters are resolved and the new development contributions policy of the Auckland Council is adopted. The Council recommends the removal of clause 90.

Waitakere City Council (194)
Keyword: Other Comments

Recommends a rewording of this section, see full submission. The section does not cover Financial Contributions.

Rodney District Council (976)
Keyword: Other Comments

Need to ensure that resolutions made pursuant to the bylaws are deemed to have been made by the Auckland Council.

Auckland City Council (545)

Include a requirement that Auckland Transport must consult on transport planning requirements and not just bylaws.

Environment and Conservation Organisations (734)

Require corresponding provisions that validate Franklin District Council's bylaws in areas to come under the jurisdiction of the Waikato District Council and Hauraki District Council.

Franklin District Council (509)

Should be amended so Transport bylaws are made by the Auckland Council, not Auckland Transport.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

Amend this clause so Transport bylaws are made by the Auckland Council, not Auckland Transport.

The Labour Local Government Sector Council (958)
Need to ensure that resolutions made pursuant to the bylaws are deemed to have been made by the Auckland Council. Omit clause 109(3) and amend 93(4) (b) to provide that the Auckland Council must review each waste bylaw before the close of 30 June 2013.

Auckland City Council (545)

Bylaws should not impose the use of wheelie-bins in local board areas that do not want them.

Edward Exton Fletcher (275)

Interest limited to aspects of the Bill that will affect the waste management industry in the Auckland Region. Concerned that private public partnerships would financially benefit landfill and transfer station operators but would disadvantage all other waste companies and their customers.

Greenfingers Garden Bags Limited (749)

Amend to clarify that all existing bylaws, resolutions and delegations of the existing regional, city and district councils in the Auckland area are effectively adopted by the new Auckland Council on 1 November 2010 and must be reviewed no later then 1 November 2015.

Manukau City Council (957)

Require corresponding provisions that validate Franklin District Council's bylaws in areas to come under the jurisdiction of the Waikato District Council and Hauraki District Council.

Franklin District Council (509)

Bylaws need to be reviewed, and ratepayers should be given the opportunity to discuss the effects, and bylaws can only be changed without public consultation.

Onehunga Business Association (721)

Needs to be transitional provisions in the Bill to enable an appropriate lead in time for waste management industry to respond and adjust their practices. For further detail see original submission.

Transpacific Industries Group (NZ) Ltd (729)
Keyword: Other Comments

Need to ensure that resolutions made pursuant to the bylaws are deemed should be deemed to have been made by the Auckland Council. Provide that until 31 October 2015 the Council can roll over an existing bylaw where it considers the bylaw to be acceptable in its current state without having to undertake the full review process under the Local Government Act 2002.

Auckland City Council (545)

Support consistent approach to bylaws. Concerned about lack of flexibility in making bylaws that reflect differing circumstances across region. Auckland Council should be able to review bylaws according to priority instead of a having a date of review for all bylaws.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

That suitable legislative provisions are made for existing bylaws made by the Franklin District Council to remain in force in the area to be transferred to the Hauraki District Council. This will ensure that there is no disruption to the bylaw regulatory framework.

Hauraki District Council (165)

Amend to clarify that all existing bylaws, resolutions and delegations of the existing regional, city and district councils in the Auckland area are effectively adopted by the new Auckland Council on 1 November 2010 and must be reviewed no later than 1 November 2015.

Manukau City Council (957)

Require corresponding provisions that validate Franklin District Council's bylaws in areas to come under the jurisdiction of the Waikato District Council and Hauraki District Council.

Franklin District Council (509)

Support for a developing consistent policies across Auckland, although some policies will be of higher priority than others and criteria should be developed to address this.

Mt Eden Village Mainstreet and Business Association Incorporated (109)

Support a consistent approach to bylaws but it may lead to bylaws not reflecting local circumstances and the Auckland Council should create a priority list of bylaws where a regional approach would immediately be beneficial.

North Shore Town Centres Group (511)

Oppose being able to change bylaws without public consultation.

Onehunga Business Association (721)

The Waikato District Council seeks the power to confirm, amend, or revoke any bylaws inherited from the Franklin District Council in areas transferred from the Franklin District.

Waikato District Council (201)
A revision of all bylaws is probably an unrealistic target and may lead to quick rather than thorough and consultative decisions.

Western Bays Community Board (193)
Clause 95 Policies

Keyword: Other Comments

Amend (1) (a) so that it also applies to policies that are made pursuant to bylaws to which section 92 to 94 apply.

Auckland City Council (545)

Support this clause. Need to develop criteria to determine which policies are in greater need of review.

Claire Siddens and Chris Hammonds - Eden Valley Mainstreet Business Association Inc (028)

Retain local alcohol and smoke-free policies from 1 November 2010, with any Auckland Council policy superseding the Manukau and Waitakere policies when finally developed and approved. Delete 95(1)(a) as this will give all current local authority policies status until the Auckland Council is able to confirm, review or revoke pre-existing non statutory policies of the councils being disestablished.

Eriata Peri Auckland Public Health Service (185)

Opposes Clause 95 as it would dissolve Council policies that are not expressly required by law, such as alcohol and liquor licensing policies, which could have a detrimental effect on community wellbeing and safety. Proposes an amendment to Clause 95 to ensure that all existing alcohol/liquor licensing policies in the Auckland region be retained until such time that these can be reviewed and a city wide policy developed to achieve consistency and effective harm reduction.

Injury Free Counties Manukau Programme Advisory Group (369)

Recommends that Zero Waste Policies be retained from 1 November 2010.

Jo Knight Zero Waste New Zealand Ltd (9858)

Amend to clarify that non-statutory policies are also to be transferred.

Manukau City Council (957)

Require corresponding provisions that validate Franklin District Council's policies in areas to come under the jurisdiction of the Waikato District Council and Hauraki District Council.

Ensure that all Franklin District Council's policies are deemed to have been make by the successor councils until confirmed, revoked or amended by them (by a similar timeframe as set for the Auckland Council i.e by 2015 be adopted). Include all non-statutory policies and strategies, and that these are deemed to have been made by and effective in, the areas inherited by the Auckland, Waikato and Hauraki Councils.

Franklin District Council (509)

Support but criteria are needed to indicate importance of policies.

North Shore Town Centres Group (511)

The Waikato District Council seeks the power to confirm, amend, or revoke any policies inherited from the Franklin District Council in areas transferred from the Franklin district.

Waikato District Council (201)

A revision of all policies is probably an unrealistic target and may lead to quick rather than thorough and
consultative decisions.

Western Bays Community Board (193)
 Clause 96 Statutory warrants relating to transport law

No submissions were received on this clause.
Keyword: Other Comments

Each warrant should remain in force in respect of transferred employees until confirmed, amended, or revoked by the Waikato District Council.
Keyword: Other Comments

Amend clause by adding the words "or a CCO of the Auckland Council", after the word Council.

Manukau City Council (957)
That the Bill is clear on whether an Order in Council "must" or "may" be made.

New Zealand Law Society (971)
Section 98(3) (b) is incorrectly worded. Recommend a change to (3) (b) "come into force on 1 November 2010".

Rodney District Council (976)
Clause 99 Fees and charges: non-regulatory services

Keyword: Other Comments

Delete the words "that applies in Auckland" from Clause 99.

Amend clause by adding the words "or a CCO of the Auckland Council", after the word Council.

Manukau City Council (957)

Section 99(2) (a) contains superfluous wording. Recommend removal of "that applies in Auckland".

Rodney District Council (976)
Keyword: Other Comments

The ATA should be asked to prepare draft standing orders for consideration at the first meeting of the Auckland Council.

Local Government New Zealand (543)

It is inappropriate for the Minister of Local Government to determine the Standing Orders and these should be written by a joint committee of Auckland's 7 existing territorial authorities and the Regional Council, with representation from the region's community boards. Failing this, the Council should adopt the Local Government New Zealand's model Standing Orders.

Maungakiekie Community Board (197)

The standing orders of the new Auckland Council should not be imposed by the Minister, but preferably devised by a joint committee of the Auckland Councils or, failing that, by the Auckland Regional Council.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

The standing orders of the new Auckland Council should not be imposed by the Minister but preferably by a joint committee of the Auckland Councils or failing that by the Auckland Regional Council.

The Labour Local Government Sector Council (958)
Keyword: Other Comments

Amend to overcome the barrier to sub-delegation contained within the Resource Management Act.

Manukau City Council (957)

The Board notes that delegations are at the discretion of the Auckland Council and are not enshrined in legislation. This would create the scenario of the ‘greater’ body imposing its will on its ‘lesser’ counterpart and taking no account of the wishes or the will of the citizens the Board represents.

Manurewa Community Board (800)

The Bill does not give CCOs the ability to delegate to Local boards, with the exception of Auckland Transport, which is able to delegate to Local boards but is not compelled to.

New Zealand Community Board Executive Committee (878)

101(4) (b) should refer to a Local board, not a Community Board.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

There is a typo in subsection (4) (b) it should refer to a local board, not a community board.

The Labour Local Government Sector Council (958)

Consideration should be given to amending the Bill so that some presumption in favour of wider delegation of powers is created. It is particularly vital that local boards receive authority to make, on behalf of geographic communities, decisions pertaining to planning issues, especially relating to local infrastructure and community services. Thus, a presumption should be made in favour of the delegation to local boards of certain functions of a local authority reserved to Auckland Transport in so far as such delegation is appropriate.

Thomas Walter Harvey (850)

Delegations need to be protected by legislation. Have proposed a Delegation schedule and this is attached to the main submission.

Waiheke Community Board (894)

There is an apparent flaw with respect to delegations pursuant to the RMA. The Council submits that the Bill be amended to include a new section after 34A of the RMA, as follows:

- "24A(1A) a delegation made to a chief executive officer of a local authority under section 34A(1)(b) extends to include the power to delegate any functions, powers or duties to another officer of the local authority."

And amend section 34A (1) (b):

- "(b) This power of delegation, subject to section 34A (1A)."

This would avoid the confusing situation where under the LGA powers can be delegated, but not further delegated under the RMA.

Waitakere City Council (194)
Clause 102 Building

Keyword: Other Comments

Clause needs to be amended to prevent the expense created by leaking buildings being spread across the entire rating base.

Edward Exton Fletcher (275)

There should be stricter regulations on buildings and infrastructure to protect them from earthquake damage. Auckland's publicly owned assets and community responsibility for safety must remain in public hands.

Julia Meek (809)
No submissions were received on this clause.
Clause 104 Fire authority appointments

Ensure Fire Authority appointments continue to have effect in Waikato District Council and Hauraki District Council.

Franklin District Council (509)
Clause 105 Resource management

Keyword: Other Comments

Auckland Regional Council recommends that Clause 105 is redrafted to more clearly make arrangements related to the administration of Resource Management Act plans, regional policy statements, plan changes and appeals following the southern boundary changes.

Auckland Regional Council (916)

If no such provision already exists, the Bill should be amended to provide that arrangements similar to clauses 105(2) and 105(7) will apply in respect of those parts of Franklin District to be transferred to Hauraki District or Waikato District. Clause 105 (7) should be amended to provide for designations which extend beyond 1 November 2015 to continue for their full life.

Bob Lack Counties Power Ltd (249)

Supports, subclause 11 in particular. The Private Plan Change requests process must remain in place while the Auckland Council District Plan is being prepared concurrently. It is submitted that the imposition of a moratorium during all or part of the District Plan preparation process is unnecessary.

Haines Planning Consultants (801)

That the same provisions in the Bill relating to District Plans should also apply to the Hauraki and Waikato District Councils.

Hauraki District Council (165)

Amend so that the requirements for District Plans in Waikato District Council and Hauraki District Council are consistent with the Auckland Council's requirement - ie that Waikato District Council and Hauraki District Council have the same timeframe for the review of their respective District Plans and other plans under the RMA as the Auckland Council ie by 2015. Note also that 105(2) needs to include Hauraki District Council.

Franklin District Council (509)

105(12) the south-eastern corner of the Auckland Region containing water supplies and regional parks should be restored. If this is not agreed to, a reference to the Hauraki District should be added.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

Subsection 12; submit that the south-eastern corner of the current Auckland region containing water supplies and regional parks should be restored to Auckland. If this is not agreed to, a reference to the Hauraki District should be added.

The Labour Local Government Sector Council (958)

Supports (2). Insert (3A) to allow the deemed operative Auckland Council district plan to be amended to include all designations, that should have been included as at 1 November. (3A) nothing in clause 105(3) prevents an operative district plan of a territorial authority that is within Auckland being amended after 1 November 2010 to include designations which should have been included pursuant to section 175 of the RMA.

- Lack of transitional provisions for operative and proposed district plans being transferred from Franklin to Waikato (wording suggested).
- Supports (7). Amend to provide that existing designations continue in effect until the proposed district
plan of Auckland becomes operative and delete all references to designations ceasing to have effect once included in the proposed Auckland Council or on 1 November 2015.

- Delete all references to Auckland Council being able to “decide” to include requirements for designations in its proposed plan under clause 4 of Schedule 1 of the RMA.
- Amend (1) to require the transfer of responsibility for all outstanding RMA actions (wording suggested).
- Suggests a new provision which provides for the continued processing of all RMA applications and progress of other outstanding actions required by existing authorities (wording suggested).

Transpower (548)

Is concerned that clause 105(7) may have the effect of overriding the tenure and security of utilities' designations. There are other requiring authorities, apart from councils, that have designations. Vector has many designations that are included in council district plans in the Auckland region. These should continue for the term for which they were granted for and not be affected by this legislation.

Vector Limited (889)

The provisions in the Local Government (Auckland Law Reform) Bill about resource management and relating to district plans should also apply to the Waikato District Council.

Waikato District Council (201)

Three further matters should be included after subsection 12 to cover National Environmental Standards, National Policy Statements issued before 1 November 2010 and existing tree protection controls. See original submission for proposed clauses to be inserted.

Waitakere City Council (194)
Clause 106 Auckland regional growth strategy

Keyword: Other Comments

Section 18 of the Waitakere Ranges Heritage Area Act 2008 provides that the Act prevails over the Auckland Regional Growth Strategy and that the Auckland Regional Council must ensure that the provisions contained in the Strategy are not inconsistent with the purpose of the Waitakere Ranges Act.

Clause 106(3) of the Bill states that the Auckland Regional Growth Strategy has no effect once the Auckland Council adopts the Spatial Plan. EDS considers that an amendment should be made either to the Bill or the Waitakere Ranges Act to ensure that the Spatial Plan must be consistent with the Waitakere Ranges Act.

Environmental Defence Society Incorporated (291)
No submissions were received on this clause.
Clause 108 Tax

Keyword: Other Comments

- Provide that for the 2010 tax year the existing council’s balance date will be 31 October 2010, and the tax return will cover the period from 1 July 2009 to 31 October 2010;
- Define assets and liabilities to include taxation assets and liabilities including but not limited to tax losses;
- Provide that, for the purpose of the Income Tax Acts and the Injury Prevention Rehabilitation, and Compensation Act 2001 on the transfer of employees the recipient entity shall be deemed to be the same employer as the original employer until 31 March 2011;
- Amend the Bill to provide that none of the transfers authorised or anticipated by the Bill give rise to any Goods and Services Tax or gift duty liability;
- Amend (4) to cover all possible transfers between the existing councils and their CCOs and the Auckland Council and its CCOs; and
- Amend (8) to provide that where assets are transferred from a tax exempt entity to a taxable entity, those assets will be valued at the tax exempt entity's net book value at the time of transfer or earlier valuation and where assets are transferred between taxable entities, those assets will be valued at current tax book value at the date of transfer.

Auckland City Council (545)

Auckland Regional Council recommends that the Bill include provisions allowing for the reorganisation of Auckland local government to be tax neutral.

Auckland Regional Council (916)

Amend the Goods and Services Tax legislation to allow the Auckland Council to elect to account for Goods and Services Tax on rates in equal 1/12 amounts, that is, on a full accrual bases. For further explanation refer to the submission.

Manukau City Council (957)

Recommend rewording of section, see full submission, as from an accounting perspective, the Auckland Council has no economic substance and therefore cannot be regarded as an acquirer.

Rodney District Council (976)
Keyword: Other Comments

Interest limited to aspects of the Bill that will affect the waste management industry in the Auckland Region. Concerned that private public partnership would financially benefit landfill and transfer station operators but would disadvantage all other waste companies and their customers.

Greenfingers Garden Bags Limited (749)

Supports detailed waste management and minimisation planning.

Jerome Nicholas Partington (068)

Insert a new clause to clarify the right of the Council and its CCOs to charge for the transport of trade waste through their systems.

Manukau City Council (957)

Concerned that the transition to the Auckland Council will adversely affect the waste management market. Concerned that submissions to the Local Government (Auckland Law Reform) Bill may support changing current waste management arrangements with existing local authorities. Recommends that any proposals to change the existing system of waste management should be subject to public consultation.

Mike Jones - Greenfingers Garden Bags Limited (282)

A detailed plan for waste management and minimisation is needed, including a reassessment of Waste Services on Waiheke Island.

Millie Watkins (086)

Proposes the Bill be amended to allow for separate CCOs to be established to plan and manage regional solid waste matters.

Morrison Low and Associates Limited (972)

The Auckland Council should be prevented from contracting out waste management services for longer than three years. Waste management contracts should give priority to local businesses. Waste disposal charges should be determined by the Auckland Council Waste Department. An independent Auckland Services Performance Auditor should be established to monitor the waste industry. The Local Government (Auckland Law Reform) Bill should require waste management companies to be good employers. An advisory board of experts in waste minimisation to be established to advise the Auckland Council Waste Department.

Sustainable North Trust (1216)

The Waikato District Council seeks an equitable proportion of levy money received by the Franklin District Council under the Waste Minimisation Act 2008 before 31 October 2010 to be transferred to the Waikato District Council.

Waikato District Council (201)

Keyword: Support

Look forward to reassessment of waste services on Waiheke.
Clause 110 Titles to land

Keyword: Other Comments

Refers to "existing local authorities", which are not defined in this Act. Recommend that existing Local Authority’s in this section has the same meaning as the Tamaki Makarau Act.

Rodney District Council (976)

The provisions of the Local Government (Auckland Law Reform) Bill relating to titles to land should apply the Waikato District Council in relation to land transferred from the Franklin District to the Waikato District Council.

Waikato District Council (201)
Keyword: Other Comments

Strongly supports the establishment of the Ethnic and Pacific People Advisory Panels. Happy that the contributions and the need for representation from the ever growing ethnic communities in the greater Auckland region have been recognised. Strongly believe that any current members representing the Muslim community should not be automatically retained. Members of the Advisory Panel should be provided with information on important decisions made by Council to allow them to consult with their communities. The Advisory Panel should be retained and strongly opposes its disestablishment after 2013.

Ahmadiyya Muslim Jamaat New Zealand Inc (895)

The Pacific and Ethnic Advisory Panels should be established on a permanent basis and clause 111 should be amended to reflect this.

ASB Community Trust (174)

Replace the Pacific and Ethnic Advisory Panels for Auckland with the Auckland Pacific Economic Forum Inc which is already established and recognised. Establish Pacific advisory boards to the 20 -30 local boards similar to the existing arrangements with the Auckland councils.

Auckland Pacific Forum (181)

Pacific and Ethnic Advisory Panels will be established for the first term of the Auckland Council, while after the first term, the Council will determine its own arrangements for their involvement in Council processes. These Advisory Panels are a positive development and there are also other communities that should be able to be involved in establishing a relationship with the Council, and working with it. These range from women, youth, and elderly, and transgender, gay and lesbian peoples. All the panels should be required to be continued beyond the first term, using mechanisms that work for the different communities. However, they need to be more than just an advisory function and be strengthened so as to ensure they can play a strong role. They should be able to develop their own work programmes of interest to their communities, and be able to report and present to the Auckland Council, local boards and CCOs on these.

Auckland Women's Centre (184)

Supports intent of clause but:
- How will the Mayor establish the panels and who will he/she decides who will be appointed on the panels? Suggest Ministry of Pacific Island Affairs, Office of Ethnic Affairs and current TLA's to provide advice to Mayor.
- The disestablishment of the panels on 1 November 2013 defeats the purpose for Pacific and Ethnic peoples to have a voice. Suggests the structure of the panels be reviewed but maintained.

Bevan Chuang (210)

Submitter suggests that the Bill includes a definition of an ethnic group in relation to eligibility for inclusion on the Ethnic Advisory Panel.

Centre for Resource Management Studies (239)

Establish the panels on a permanent basis.

Chris Everitt (97656)
Amend the legislation to require effective structures to represent the voices of these communities.

Christine Ross PSA (550)

Submitter supports advisory panels and states it is important to determine what statutory relationships exist between panels, CCOs and the Local boards to enhance the quality of decision making at all levels.

City Vision (247)

Advisory panels are scheduled for dissolution on 1 November 2013. Pacific and Ethnic Advisory Panels should be established as permanent entities to ensure continuity of engagement with these communities.

Community Waitakere Charitable Trust (253)

The Council should have input into the processes of setting up advisory boards.

Dr Rosemary Hope Lovell-Smith (106)

Delete 111(4).

Eriata Peri Auckland Public Health Service (185)

All advisory panels are able to develop their own work programme in areas of interest to their communities, and are able to report to Auckland Council, local boards and CCOs. Advisory Panels should also be created for youth; the elderly; transgender, gay and lesbian people; and business sectors. Customer and other advisory panels and the internal complaints procedure should be publicly available and subject to regulatory oversight.

Forum for Auckland Sustainable Transport (292)

The existing Pacifica boards should be co-opted to the Pacific Peoples Advisory Panel. These people remain long-serving and have considerable community support and knowledge.

Gerard Hill (802)

Proposes that an Older Citizens Advisory Panel also be established to provide input into planning and advocate for the issues, concerns and needs of older residents.

Grey Power North Shore Inc. (296)

Existing Pasifika Boards should be included in the establishment of the Pacific Peoples Advisory Panel.

Hilary Jones (5442)

Support the Panels. The Panels should be appointed by and accountable to the Auckland Council not the Mayor. Consultation requirements for both Panels are the same. Concerned at the sunset clause. The Bill should detail the statutory relationships between the Panels, the CCOs and the Local boards.

Janet Cole Community Coalition 4 Auckland (262)

Welcomes the provision for Panels.

Kaaren Goodall Committee for Auckland (265)

Should require that advisory panels be able to develop their own work programme in areas of interest to their communities and be able to report and present to the Auckland Council, local boards, and CCOs. Should require ongoing Pacific and Ethnic Advisory panels and extend the concept to youth; the elderly; transgender gay and lesbian peoples; and the business sector.

Living Streets Auckland (875)
Members of local communities should be able to serve on Ethnic Advisory Boards.

Lydia Sosene (1228)

Amend the Bill to include community input into the selection or nomination processes of the Pacific and Ethnic Advisory Panels. Amend the legislation so that the Mayor recommends appointments for endorsement by the Auckland Council.

Amend the bill to introduce the requirement to review panels, their role, influence and effectiveness with a view to either maintain them or put in place alternative mechanisms and/or processes for engaging with Pacific and ethnic peoples.

Manukau City Council (957)

The new setup should bring existing Boards together to advice on a body and process that will reflect the new Aotearoa Polynesian ethnic group that exists here, rather than being set up by the Mayor.

Marilyn Kohlhase (65765)

Require the Auckland Council to review the work of the Panels by 1 November 2013.

Franklin District Council (509)

Supports, however, oppose the temporary nature of the panels, with dissolution of the advisory boards scheduled for 1 November 2013. Given the rapid growth evident in both Pacific and ethnic populations within Auckland, recommends that these Advisory panels be established as permanent entities.

Massey Matters (814)

Support, if adequately resourced.

Neil Miller (521)

The Panels should be permanent and clause 111(4) deleted.

New Zealand Council of Trade Unions (512)

The Council should have input into the establishment of the Pacific People Advisory Panel and the Ethnic Peoples Advisory Board in consultation with the existing Pasifika Boards.

Noreen Prudence Giles (094)

Does this requirement disappear after 2013?

North Shore Community and Social Services (830)

Support for legislative provision for inclusion of Ethnic and Pacific people in governmental processes. However, the proposed panels have an advisory role only which should be expanded and adequately resourced. Submitter recommends alternatives for the establishment, members and purpose of a Pacific Advisory Panel. Refer to submission for detail.

North Shore Pasefika Forum (Inc) (946)

Support the creation of the Ethnic Advisory Panel. Ethnic Advisory Panel needs to have a broader role. Ethnic Advisory Panel needs to exist beyond 1 November 2013

Otara Community Board (203)

Makes specific amendments to this section to change to an Auckland Pacific Forum (see full submission for proposed amendments). Representatives should be elected rather than appointed to make them more
democratically accountable. Recommends that the Auckland Pacific Forum, which is already established, be
recognised and replace the Pacific Peoples Advisory Panel. Recommends the establishment of Pacific
advisory boards to the 20-30 Local boards, similar to the existing arrangements. The use of the Pacific Forum
should be extended beyond 1 November 2013.

Pam Sellers (524)

Include a statutory Pacific panel on the governance board and a transparent selection process.

Pasifika Injury Prevention Aukilana Inc (PIPA) (750)

The Mayor should control the establishment of Pacific Peoples Advisory Panel and the Ethnic People
Advisory Panel with input from the Auckland Council and consultation with the existing Pasifika boards.

Patricia M Reade (926)

Support for formation of advisory panels as a recognition of the multicultural composition of the region's
population.

Peter Aimer (931)

Opposed.

Peter Bartlett (928)

Support for the establishment of advisory boards for Pacific and ethnic people but opposed to their dissolution
in 2013, they should have permanent status.

Raeburn House (921)

Advisory groups/panels should have committee status.

ShoreSafe (935)

111(1) The Auckland Council should appoint, not the Mayor. 111(2) add "and any proposed budgets, fees,
and rates" as this financial influence is a key one to exercise. In 2 (b) and 3(b) add "and CCOs" as their
powers will be great in their impacts on Pasifika and Ethnic populations. 111(4) amend (b) to replace
"dissestablished" with "reviewed" and add 4(c) "if disestablished these must be replaced with a democratic,
authentic, appropriate and effective successor".

Tamaki Community Board (195)

Auckland District Council of Social Services  (907)

Endorses.

Te Taumata Runanga (535)

Elected council should have input into appointment of the Panels. Existing Pasifika Boards should participate
in the establishment of the Pacific Peoples Advisory Panel.

Terry Anne Beazer (537)

In subsection (1) delete "Mayor of" so the council is responsible for the appointments. In (2) (a) (i) and in (3)
(a) (i) add “and any proposed budgets, fees and rates” as this financial influence and advice is a key one for
them to exercise. In (2) (b) and (3) (b) add “and CCOs” as their powers will be great in their impacts on
Pasifika and Ethnic populations. In (4) amend (b) to replace "disestablished" with "reviewed" and add (4) (c) "if disestablished these must be replaced with a democratic, authentic, appropriate and effective successor".

The Labour Local Government Sector Council (958)

Disagree that the Mayor should appoint members to the Panel to represent Pacific Island People. "Panel" should be called "a Board". Elections should be held to appoint members of the Board. Specific detail about the functions of the Pacific Island representation, and funding (should be similar to the clauses dealing with the establishment of Māori Boards). Pacific and Ethnic Board should be a permanent fixture of the Council. For further detail please refer to the original submission.

Tonga Confederated Society of New Zealand (733)

Rename as Pacific Peoples Advisory Committee or Pacific Peoples Advisory Forum. Include community input into the selection or nomination process. Mayor should only recommend the Committee for endorsement by the Auckland Council.

Tuou Manapori Pacific Islands Advisory Committee (513)

Supports the establishment of advisory panels but not their disestablishment on 1 November 2013. Proposes that section 4 be deleted. Proposes that the relationship between Advisory Boards, CCOs and Local boards is specified in the legislation and that representatives from panels have the same status as other councillors.

Uzra Balouch (974)

There should be a Youth Panel established in the same way as the Pacific Peoples Advisory Panel and the Ethnic Peoples Advisory Panel. Youth should have the same recourse to local governance as these other groups.

Waiheke Community Board (894)

Supports the establishment of the Pacific Peoples Advisory Panel and the Ethnic Peoples Advisory Panel, however, the process for appointing both panels is unnecessarily political and should be the responsibility of the Auckland Council, not especially a role for the Mayor. It is appropriate that the Auckland Council have a timely opportunity to review the processes by means of which it receives advice from and engages with Pacific and Ethnic peoples in Auckland; however the Bill does not provide these advisory channels with sufficient continuity to enable them to be effective. Clause 111 should be amended to reflect these points (see the original submission for the full suggested amendment). There are inconsistencies in the provision for establishing the two panels in relation to consultation. The Council submits that the consultation requirements for the Ethnic Peoples Advisory Panel imposed on the ATA include the broader consultation requirement placed on the chief executive of the Ministry of Pacific Island Affairs in relation to the Pacific Peoples Advisory Panel. Both sets of advice should be available to the new Auckland Council by 1 November 2010. See original submission for proposed amendment to clause 111.

Waitakere City Council (194)

Supports this initiative. Opposes the appointment process by the Mayor solely and recommends that the appointment be done by the Auckland Council. Recommends that a consultation process be initiated with existing ethnic local council initiatives and other ethnic organisations in developing proposals for consideration. Opposes the temporary nature of the panels. Given the rapid growth in the ethnic populations in Auckland, the Board recommends that the Advisory panel be established as a permanent entity. The Board also recommends that members of the Ethnic Advisory Panel be granted membership on the Auckland Council Standing Committees.

Waitakere Ethnic Board (883)

The Waitakere Pacific Board, which is already established, should be recognised as the body to represent Pacifica and work with local boards in Waitakere/West Auckland. The Bill should recognise the importance, and incorporate into the Pacifica regional development plans for the Auckland region, the Pacifica Plan which Waitakere Pacific Board in Waitakere had developed. The Bill should support the continuation of other current
Pacific Boards for the 20-30 Local boards under enhanced arrangements (with election, work programme and funding). The mechanisms for electing representatives and enacting the local Pacific Boards and the Auckland Pacific Forum should be the same as those for the Waitakere Pacific Board. Existing agreements and funding arrangements and commitments between the existing councils and existing Pacific boards like the Waitakere Pacific Board should continue to be honoured by the new Council.

Relevant sections of the Bill should be amended to reflect and accommodate the above points, and particularly not to remove the Pacific body in 2013 as stipulated in the Bill, but to continue indefinitely until the needs of Pacific communities are meet in real terms and sustainably; and to amend to fix the absence of utilising the existing Pacific Boards to represent Pacifica and working with the new local boards in their respective areas.

Waitakere Pacific Board (857)

Should require that advisory panels be able to develop their own work programme in areas of interest to their communities and be able to report and present to the Auckland Council, local boards, and CCOs. Require ongoing Pacific and Ethnic Advisory panels and extend the concept to youth; the elderly; transgender gay and lesbian peoples; and the business sector.

Walk Auckland Inc (861)

**Key wood: Establishment of Youth Council**

Would like to see a dedicated fund in the local budget to provide for youth participation and staff to help facilitate this. Supports proposals for an Auckland Youth Assembly to raise youth participation

Princes Street Branch, New Zealand Labour Party (837)

Add a new clause 112 - Youth participation.

Youthline (121)

Include Clause 112 Youth participation. Suggest adding a new clause to the Bill to establish the Auckland Youth Assembly to facilitate the participation of children and young people over 12 years of age in the decision – making processes of the Auckland Council.

Youthline (121)

The submitter proposes that Auckland Council have a broad obligation to take the views of children and young people into account when decision-making. A youth participation provision for the Bill has been proposed. For full details refer to the submission.

YouthLaw Tino Rangatiratanga Taitamariki Inc (955)
Support

Supports specific reference to key performance targets and other measures that must be identified for CCOs in the Auckland Council's Annual Plan.

The New Zealand Water and Wastes Association (127)

Clause 2 amendments

Auckland Regional Council recommends that section 2(2) of Schedule 2 which is to be added to the Tamaki Makaurau Act is amended so that the Auckland Transition Agency is required to set local board budgets for 2010/11 and 2011/12.

Auckland Regional Council (916)

New Schedule 2, clause 2(2) (a) add "and projects" after "activities" because Local boards will have a few local projects and events.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

New schedule 2 - Provisions relating to planning documents, clause 2(2) (a) add "and projects" after "activities" because local boards will have a number of local projects and events.

The Labour Local Government Sector Council (958)

Clause 3 amendments

Submitter recommends strengthening the CCOs plan provisions to also identify the assumptions on which the financial statements are based (e.g. useful life of significant assets and sources of funding for future replacement).

New Zealand Council for Infrastructure Development (949)

Clause 4 amendments

Amend Clause 4 Schedule 2 requiring that the planning document include an initial policy on significance.

Auckland City Council (545)

Clause 19 amendments
New Schedule 2 - Difficulties may arise from the revenue and financing policy, therefore the planning document required under Section 19(a) of the Local Government (Tamaki Makaurau Reorganisation) Act 2009 be able to include hybrid revenue and financing policy. For further detail refer to the submission.

That provision is made to allow for adjustments to budgets/allocation of resources to local boards in the first planning period.

SavePapakura (941)

Other

Amend the requirement to prepare an audited annual planning document based on existing Long-Term Council Community plans to a requirement to prepare a more realistic planning document for a shorter period.

Manukau City Council (957)

New schedule 2: Planning document needs to include support for community organisations by maintaining the funding through the Community Investment Scheme. For further detail please refer to original submission.

Meadowwood House Incorporated (722)
Clause 4 amendments

Signage Requirements - the written consent of the person in legal possession of the land (which may be a tenant) should be required rather then the consent of the landowner.

Andrew Miller (018)

Amend the bylaw for election signage to ensure that successor council bylaws for election signs apply in each of their relevant areas, and that prohibited sites (4) should include heritage and sensitive ecological.

Franklin District Council (509)

Omit from Schedule 3 clauses 6(1) (b) and (f) as they are overly prescriptive.

Auckland City Council (545)

New schedule 3 - recommends rewording of clause 4. The clause states that a sign cannot be erected on a road, however the schedule also allows for Council to identify local authority: designated sites for signs. In Rodney’s case many of the local authority designated sites for signs are areas of legal road and if the clause remains as it is, the current designated sites for signs cannot be used.

Rodney District Council (976)

In clause 4 it is unreasonable and could constitute censorship of political expression for a landlord to be allowed to ban their tenant putting up a sign for a candidate they support.

The Labour Local Government Sector Council (958)

Clause 5 amendments

The Schedule allows for officers of the Council to act solely on opinion and does not expressly allow for judicial appeal.

Andrew Miller (018)

New Schedule 3 - Council in general supports the development of consistent guidelines for election signage, however the Council is concerned that provision should: allow for the placing of signs on road berms where this meets all other safety requirements; be applied to District Health Boards, Licensing Trust and any other elections held concurrently; require signs to be located in a way that ensures public safety; and prohibit obscuring other candidates signs.

Waitakere City Council (194)

Clause 6 amendments

Change to approximately 45 degrees for the angle of the bracing, if this requirement is needed at all, all words after “securely braced” could be deleted. Delete (g) as reminder to vote signs are surely okay provided they are safe. Change (3) from a one sign limit to one of no more than 2 signs to allow those at approximate right angles facing each way for stability and for visibility.

The Labour Local Government Sector Council (958)
Amend Clause 6 to clarify that the limitation of one election sign extends to affiliations.

Manukau City Council (957)

New Schedule 3, matters in relation to election signs. It is important these are consistent across the region but these proposals are too detailed and inappropriate to be decided by legislation rather than by agreement between the existing councils. These proposals are far too prescriptive and will impose unfair and unnecessary costs on candidates and their supporters. 6(1)(d) change to approximately "45 degree for the angle of the bracing" if this requirement is needed at all. 6(1)(e) add "only if on public land", surely private owners can decide whether to fix it to their house or a fence. 6(1)(g) delete, reminder to vote signs or ribbons are surely okay provided they are safe. 6(3) change from a one-sign limit to one of no more than two signs to allow those at approximately right angles facing each way for stability and for visibility.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

New Schedule 3, Election signs - the angle of 45 degrees for signs is too exact. Damaged or vandalised signs should be notified to the owner so they can be fixed.

Western Bays Community Board (193)

Clause 7 amendments

Clause 7 should only apply if vandalism is significant or made the sign unsafe and that a council may remove a sign where the candidate has failed to remove it after reasonable notice.

Auckland City Council (545)

Delete "damaged, is vandalised or" as unnecessary - they only need to be taken down if actually unsafe. Clause (7) (2) after sign add "for the purposes of subsection 1".

The Labour Local Government Sector Council (958)

New Schedule 3 - Some of the regulations around election signs are unnecessary for their purpose. The statutory need for signs needing to be safe and the ability to remove unsafe signs, makes specifying the angle of signs unnecessary. Only being able to have one sign per site rules out double signs, two signs joined at a central point, which have been widely used in previous local elections. The provisions for removal should specify that the local authority should have to contact and give reasonable notice to the designated maintainer of signs to remove or repair the sign, given the potential political and financial costs associated with removal. The provision to remove should not include vandalised signs as the only concern the council should have with regard to signs is public safety.

Maungakiekie Community Board (197)

Auckland District Council of Social Services (907)

Clause 8 amendments

After “candidate” add “or group of candidates” which will be the more common situation for signs.
Matters in relation to election signs - it is important that these are consistent across the region but these proposals are too detailed and inappropriate to be decided by legislation rather than seeking agreement between existing councils. A number of amendments are proposed, see submission for detail.
No submissions were received on this schedule.
New Schedule 5
Provisions that apply to certain employees of existing local authorities and terminating organisations

Clause 1 amendment

Clause (1)(b) of Schedule 5 will need to be amended in line with the amendments to 35C(4)(c) so that the clause clearly states that staff who are transferred to the Auckland Council will be transferred on the same employment agreement.

Christine Ross PSA (550)

Clause 2 amendment

Amend Schedule 5 so that there is discretion for staff to be offered transfers before 1 November 2010, and ensure this does not affect employees' entitlement to compensation through to 30 April 2011 under proposed clause 4(b) in Schedule 6.

Auckland City Council (545)

Clause 4 amendment

Amend (4)(b) to remove the start and end dates, and allow for a period of 12 months wage protection compensation, and include a clause in the schedule to allow for other disadvantage to be raised and compensated.

Christine Ross PSA (550)

Clause 6 amendment

That part 6A of the Employment Relations Act relating to the protection of vulnerable workers should apply to those who fall under Schedule 1A of that Act.

New Zealand Council of Trade Unions (512)
New Schedule 6
Redundancy and compensation provisions that apply to certain employees of existing local authorities and terminating organisations.

Clause 1 amendments

Schedule 6 The Bill should allow for redundancy and compensation for affected fix term contract employees if they are terminated before the term of their agreement.

Christine Ross PSA (550)

Clause 4 amendments

Under schedule 6, it is unclear whether an employee who accepts an offer on substantially different terms and conditions is still entitled to redundancy compensation. Council recommends that the schedule is amended to expressly provide for removing entitlement to redundancy compensation and accepting a new position within the Auckland Council.

Clause 4(b) specifies in calendar dates (1 Nov 2010-30 April 2011) the period of salary protection where a lower paid job is taken. It is possible that while an offer could be made of a lower paid job before 30 September 2010 under new clause 35C/clause 53, the commencement in the new role might be later than 1 November 2010 due to the transition requirements. Suggest that the 6 months should be from the time of commencement in the position.

Rodney District Council (976)

New schedule 6 - (4)(b) is supported which ensures continuing employees cannot have their wages or salary cut until 30 April 2011. Their terms and conditions should also be protected until then and this provision added to the Bill.

The Labour Local Government Sector Council (958)

New Schedule 6, clause 4(b) is supported as it ensures continuing employees cannot have their wages or salary cut for 6 months. Their terms and conditions should also be protected for 6 months and this provision added to the Bill.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

Clause 5 amendments

Auckland Regional Council recommends that:

- The Bill is amended to introduce a fair process for transferring employees by including a requirement that transferring employees will transfer on the same terms and conditions unless they agree otherwise; and

- Clause 5 of Schedule 6 is amended to refer to all employees who transfer to a position in a different location.

Auckland Regional Council (916)

New Schedule 5 clause 5(b) needs to be more specific. The legislation should provide for certainty, with no redundancy below certain levels and comprehensive provision based on principles of fair employment protection and entitlements.
Clause 6 amendments

That section 6(c)(iii) is redrafted so that Auckland Regional Council, Auckland Regional Transport Authority and Auckland Regional Holdings employees are not disadvantaged relative to employees of other local government organisations, when considering whether a relocation constitutes a change in the terms and conditions of employment. That the Bill is amended to ensure that provisions relating to employment in Part 3 come into force the day after Royal assent.

Auckland Regional Council (916)
### Schedule 2

#### New Schedules 2 and 3 added to Local Government (Auckland Council) Act 2009

New Schedule 2
Provisions relating to Auckland Transport

---

#### Clause 1 amendments

Schedule 2 Clause 1 (2) of the Local Government (Auckland Council) Act 2009 should be repealed.

Catherine Denisov (237)

Director's terms should be for a maximum of 3 years with a right of reappointment which is stated in sub clause (3) in order to correspond with the council term.

The Labour Local Government Sector Council (958)

Amend clause 1 of Schedule 2 to introduce a fixed interim period for the Council Controlled Board.

Manukau City Council (957)

Schedule 2 Clause 1(2) Directors (other than those who are members of the Auckland Council) hold office for a term of four years. This suggests that if the initial directors were reappointed it would be for a term of 4 years. This is too inflexible and the Auckland Council should be able to vary the term of appointment as it sees fit. Suggest new subclause (2)

Peter McKinlay Institute of Public Policy (368)

New Schedule 2, clause 1(2), Directors' terms should be a maximum of 3 years with a right of reappointment in (3) to correspond with the Council term.

Tamaki Community Board (195)

Auckland District Council of Social Services (907)

---

#### Clause 3 amendments

Clause 3 should include a 'person who is a board member of another council-controlled organisation'.

Edward Exton Fletcher (275)

---

#### Clause 14 amendments

The reference to a trustee should be amended to a beneficial trustee, because being a professional or voluntary trustee is irrelevant if there is no financial interest and many lawyers and accountants act as trustees for hundreds of organisations without thereby having an interest.

The Labour Local Government Sector Council (958)

14(2)(d) the reference to a trustee should be amended to a beneficial trustee, as being a professional or
voluntary trustee is irrelevant if there is no financial interest, and many lawyers and accountants act as trustees for hundred of organisations without thereby having an interest.

Tamaki Community Board (195)
Auckland District Council of Social Services (907)

**Clause 16 amendments**

Clause 16 should require disclosures of interests to be publicly available.

Edward Exton Fletcher (275)

**Clause 23 amendments**

23(b) should only occur when that method of electronic, rather than face-to-face communication, is agreed to by all directors as satisfactory for that particular meeting.

Tamaki Community Board (195)

The Labour Local Government Sector Council (958)
Auckland District Council of Social Services (907)

**Clause 28 amendments**

Section 28 is undemocratic and should be repealed.

Edward Exton Fletcher (275)

**Clause 29 amendments**

Clause 29 does not include any requirement that the appointed director does not have any conflict of interest in accepting the role. This should be an explicit requirement when appointing the director.

Andrew Miller (018)

**Clause 30 amendments**

Section 30 (4) is undemocratic as it gives undue influence to the Minister of Local Government, and should be repealed.

Edward Exton Fletcher (275)

**Clause 33 amendments**

"Auckland Transport may delegate responsibilities, duties and powers". Support this clause, however, the decision-making powers for some transport functions should be subject to the same process that exists for other Auckland Council functions in sections 14-18 of the Local Government (Auckland Council) Act. For further details please refer to original submission.

Auckland Regional Transport Authority (186)

**Clause 34 amendments**

Support the accountability mechanisms in clause 34 of New Schedule 2 (p.136). See original submission for further detail.

Auckland Regional Transport Authority (186)
Support

Support the specific set of governance arrangements for Auckland Transport set out in Schedule 2. For further detail see original submission.

Auckland Regional Transport Authority (186)
New Schedule 3
Provisions relating to board promoting issues of significance for mana whenua and Māori of Tamaki Makaurau

Clause 1 amendments

Present provisions for selection of the seven mana whenua members of the Māori Statutory Board are flawed and could mean major iwi and hapu are excluded from this Board. Propose a system where the seven mana whenua members are made up of: Two representatives from Ngati Whatua ropu (one from Ngati Whatua O Kaipara and one from Ngati Whatua o Orakei, two representatives from Waikato ropu; two representatives from Hauraki/Marutuahu ropu; one representative from Ngati Wai ropu. For further detail please refer to original submission.

Ngati Whatua O Kaipara (710)
Ngati Whatua O Orakei Māori Trust Board (709)

New Schedule 3, clauses (1) and (6). The Board should have four taura here representatives, so that urban Māori and external iwi have a reasonable voice.

Tamaki Community Board (195)

The Labour Local Government Sector Council (958)
Auckland District Council of Social Services (907)

Schedule 3 clause 1(a) clarifies who "taura here" are.

Te Taumata Runanga (535)

"Taura here" is an ambiguous term and its use may be confusing. The Council submits that in schedule 3 the following change be made: “All reference to "taura here" is deleted and the words “pan-tribal Māori” be inserted or the term "taura here” be given statutory definition.”

Waitakere City Council (194)

Clause 4 amendments

Clause 4 Schedule 3 Obligation to give notice should be with the Auckland Council rather than the Minister of Māori Affairs.

Auckland City Council (545)

Clause 5 amendments

Clause 5(2) Recommends that there is clarity about members of the mana whenua and Māori board vacating office if they become disqualified from holding office.

New Zealand Law Society (971)

Clause 6 amendments

New Schedule 3, clauses (1) and (6). The Board should have four taura here representatives, so that urban Māori and external iwi have a reasonable voice.

Tamaki Community Board (195)
Auckland District Council of Social Services (907)

Clause 7 amendments

Schedule 3 clause 7 significant investment is needed by the new Auckland Council to avoid unnecessary competition between mana whenua groups.

Te Taumata Runanga (535)

Clause 9 amendments

Clause 9(1) Schedule 3 three year term should align with the Auckland Council’s triennial electoral cycle.

Auckland City Council (545)

In clauses (9) and (10), these decisions should be made by the selection body or by Māori Affairs not by the Board.

Tamaki Community Board (195)

Schedule 3 clause 9(1) A minimum term of four years and a maximum of two terms with a rolling membership process.

Te Taumata Runanga (535)

Clause 10 amendments

Clause 10 Schedule 3 Selection body, not the board, should have the power to remove board members.

Auckland City Council (545)

In clauses (9) and (10), these decisions should be made by the selection body or by Māori Affairs not by the Board.

Tamaki Community Board (195)

Clause 12 amendments

Clause 12(1) The Bill should provide for the initial appointment of a chairperson and deputy following the establishment of the board, or whether this should be left to implication.

New Zealand Law Society (971)

Clause 13 amendments

Clause 13(2) That the Committee consider whether the Bill should expressly provide for notices of meeting to be given either in writing or electronically.

New Zealand Law Society (971)

Clause 14 amendments

Schedule 2 New Schedule 3 Clause 14(9)(b) delete consensus decision making requirement.

Franklin District Council (509)

Clause 17 amendments

Clause 17 Is it intended that independent experts will make recommendations to the board, not Council. Different fee levels should be recognised for the chairperson and deputy of the board.
New Zealand Law Society (971)

In clause (17), the Māori Board's remuneration, because of its independence, responsibilities and mana, should be determined by the Remuneration Authority, not the Auckland Council.

Tamaki Community Board (195)

**Clause 20 amendments**

Clause 20 That the fees, expenses and "remuneration payable to the board's members" are clarified.

New Zealand Law Society (971)

**Clause 28 amendments**

Clause 28 That the difference between members of the board and members of a committee is clarified.

New Zealand Law Society (971)

**Clause 32 amendments**

Clause 32 Schedule 3 Ensure section 45M(2) of the Public Finance Act does not apply to the board and add the board to Schedule 4 of the Public Finance Act.

Auckland City Council (545)

**Clause 33 amendments**

Schedule 3 clause 33 Strongly recommends that the Secretariat should be equipped with staff, including Māori and non Māori with a sound knowledge of local government as well as an understanding of kaupapa Māori (Māori way), te reo Māori (Māori language) and te iwi Māori processes and relationships.

Te Taumata Runanga (535)
Schedule 3
Enactments amended

Part 1 Amendments to Public Acts

Hauraki Gulf Marine Park Act 2000


Eileen Evans (039)

Support amendments to Act.

Labour Local Government Sector Council (958)

Hauraki Gulf Marine Park Act - Support the provision within the Bill that allows for representation from the Waiheke and Great Barrier Local boards on the Hauraki Gulf Marine Park Forum.

Waiheke Community Board (894)

Income Tax Act 2007

Further amend the Income Tax Act 2007 to provide that Watercare is not required to pay tax given that it is prohibited from paying a dividend. Also amend the Income Tax Act to provide that all new CCOs established under proposed section 35G will be tax exempt until 1 November 2020.

Auckland City Council (545)

Land Transport Management Act 2003

Auckland Regional Council recommends that this section is amended to provide for the Auckland Council to approve the Auckland Regional Land Transport Programme.

Auckland Regional Council recommends that this section is amended to retain the requirement for the transport agency to give effect to the Auckland Regional Land Transport Strategy through the Regional Land Transport programme.

Auckland Regional Council (916)

Support the development of the Auckland Regional Land Transport Strategy. See original submission for further detail.

Auckland Regional Transport Authority (186)

Opposed to repealing of Section 15 (b) of the Land Transport Management Act 2003. Section 15 (b) of the Land Transport Management Act 2003 should be amended to require Auckland Transport to give effect to the Spatial Plan in the Regional Land Transport Programme. Section 74(3) of the Land Transport Management Act 2003 should be amended to read: "the Auckland Council must appoint representatives of New Zealand Transport Agency, ONTRACK and KiwiRail to be special advisors to the Auckland Council. Section 74(4) of the Land Transport Management Act 2003 should be consistent with Section 74(3).
Catherine Denisov (237)

Land Transport Management Act 2003 should continue to require Auckland Transport to give effect to the Regional Land Transport Strategy.

Dr Paul Cullen (321)

Retain Clause 15 (b) of the Land Transport Management Act 2003 as its repeal would mean Auckland Transport is not required to 'give effect' to the Regional Land Transport Strategy in its Regional Land Transport Programme. Auckland Transport will only need to be consistent with the RLTS, this could undermine the RLTS and alignment of land use and transport.

IPENZ Transportation Group (900)

Land Management Transport Act 2003 Omit the phrase "if affected" from 18(ab) so that the Auckland Council is always consulted. Omit section 18A(4) so that separate consultation must be undertaken on the Regional Land Transport Programme. Require the existing obligation in section 15 to be an obligation on Auckland Transport and omit the provision requiring Auckland Transport to be satisfied that the Regional Land Transport Programme is consistent with the Regional Land Transport Strategy. New 38AA should provide that New Zealand Railways Corporation, the Police, and other organisations that have responsibilities in relation to the Auckland transport system and state highways and railways within Auckland are required to work cooperatively with the New Zealand Transport Agency, Auckland Transport and the Auckland Council.

Auckland City Council (545)

Land Transport Management Act 2003. Auckland Transport must only ensure that the Regional Land Transport Programme "is consistent with the relevant Government Policy Statement and Auckland Regional Transport Strategy." This will give central government too much power over the Auckland transport system. Auckland Transport will be paralysed by conflicts between central and local government. Suggest that Auckland Transport be required to "give effect to" the Regional Land Transport Strategy in their Regional Land Transport Programme.

Lucy Hawcroft (555)

Repeal of section 15(b) of the Land Transport Management Act 2003 is not acceptable. It is crucial that the decisions of Auckland Council be heeded by Auckland Transport.

Mark Bracey Cycle Action Auckland (280)

Proposed Section 17 (1) (a) should be amended to require these to be agreed to by the Auckland Council.

The Labour Local Government Sector Council (958)

Litter Act 1979

Auckland Regional Council recommends that the reference to the Auckland Harbour Bridge Authority is not inserted into the Litter Act 1979.

Auckland Regional Council (916)

Local Electoral Act 2001

Keyword: Opposed to amending Section 111 Local Electoral Act 2001

Oppose amendments to the Local Electoral Act 2001 that increase the amount of money Mayoral candidates may spend, as it undermines local democracy. Support a spending limit on Mayoral candidates election campaign spending based on spending levels across Auckland's existing councils.

Alastair Jamieson (143)
Sets the spending limits for election campaigns, the sums allowed are ridiculous and will stifle the right of individuals and independents to stand for election, unless they are independently wealthy or are supported by a political party. This clause should be deleted and spending should be the maximums as currently set out in the relevant Local Government Act.

Allen Davies (148)

Section 111(1)(l)(1A) of the Local Electoral Act 2001 should have a $100,000 cap in the last three months. Anything more tips the playing field in favour of the wealthy.

Barbara Lucy Baragwanath (216)

The Bill would increase campaign spending limits. The Auckland City Mayoral race with 960,000 voters will mean candidates will be able to spend $580,000 in the last three months. This is a very significant increase that would benefit wealthy candidates and those with big business backing and decrease the number of women who are elected.

Auckland Women's Centre (184)

Spending limits should be based on parliamentary limits.

A Young (742)

Opposes changes to the Local Electoral Act 2001 that would increase campaign spending limits.

Beatnik Publishing (051)

Candidate campaign spending limits too high.

Catherine Farmer (1691)

Oppose new section 111(1)(l)(1A) of the Local Electoral Act 2001. A cap of $100,000 in the last 3 months should be included.

Child Poverty Action Group (244)

Campaign spending limits should not be significantly raised.

Clive Teare (901)

Local Electoral Act 2001 A more modest limit on election spending would be in line with New Zealand's democratic traditions.

Craig Vincent Powell (264)

Opposed to amending the Local Electoral Act 2001 as it allows campaign spending limits to be raised to such levels as would benefit wealthy candidates.

Daniel Findon and Catherine Murray (259)

Retain existing spending limits.

Dr Alison Towns (320)
The new spending limits for the Auckland Mayoral election is too high for ordinary people to be able to stand. The cap should be $100,000.

Dr M Dale (902)

Opposes repeal of the current limits on campaign spending as specified in the Local Electoral Act 2001.

Dr Rosemary Hope Lovell-Smith (106)

Proposal is undemocratic and should be deleted, with existing spending limits retained.

Eden Albert Community Board (162)

Spending on campaigns should be limited to current parliamentary limits.

Elisabeth Van Alkemade (279)

Part 1: Local Electoral Act 2001. No need to raise campaign spending limits, as it will only benefit the richest candidates and big business.

Emily Smith (286)

There should be a total spending limit of $2000 in the three months leading up to the Mayoral election.

Forum for Auckland Sustainable Transport (292)

The spending cap for candidates is too high and should be reduced from $500,000 to levels currently provided for. The suggested levels will likely deter prospective candidates from running for office; consequently a potential loss of democracy.

Gerard Hill (802)

Campaign spending limits too high and only favours wealthy and big business. Supports the Labour Party for calculating spending limits.

Submit that proposed candidate spending limits are lowered by 50 per cent and that the spending period is increased from 3 months to 6 months. High spending limits skew the campaign in favour of affluent candidates.

Glenfield Community Board (163)

GW Powell (979)

Grassroots Action Group (295)

Local Electoral Act 2001 Do not increase spending limits.

Hilary Jones (543)

Opposed to increase in spending limits.

Hilltrud Grueger Springleigh Residents Association (542)

Local Electoral Act 2001 Concern at size of campaign spending.

Ian Gordon (502)

Opposed to increased spending limits.

Individual Five (552)
Spending limits should be more in line with current Parliamentary limits.

Individual Six (549)

Campaign spending limits - Oppose the Government plan to raise campaign spending limits up from $70,000 for a population over 250,000 to $100,000 plus 50c for each registered voter in constituencies exceeding one million. The formula should be based on either an amalgamation of the spending limits of the current councils or one based on the parliamentary limits, to prevent favouring wealthy candidates and big business backing.

Janice B Cruickshank (373)
Oppose. Supports retention of current spending limits.

Janice Gardiner (075)


Jean M Hatch (080)
Oppose amendments to Local Electoral Act 2001 as it benefits wealthy candidates and undermines democracy.

Jeremy Dumble (063)
Base campaign limits on Parliamentary limits.

John Railton (565)
Opposed to increase in Mayoral election spending limit.

Jon Randall Farrant (355)
John Kirikiri (909)
John M Stansfield (905)
The formula should be based on either an amalgamation of the spending limits of the current councils, or one based on the parliamentary limits, to prevent favouring wealthy candidates and big business backing.

John N. Sloane (808)
This precludes anybody who isn't wealthy or has no wealthy friends from standing.

Kayla Mackenzie-Kopp (806)
Kim Walker (908)
Karen Brown (7674)
Campaign limits too high.

Lawrence Carter (2534)
Part 1: Local Electoral Act 2001. There must be a cap on election spending so that wealthy candidates do not have an advantage over those less wealthy.

Linda Kaiou (071)
Lance R Taylor (959)
There should be a total spending limit of $200,000 in the three months leading up to the Mayoral election for Mayoral election expenses.

Campaign limits are too high.

Amendments to the Local Electoral Act - The spending limits allocated are excessive and should be lowered to something in the order of $100,000 plus 5 cents per voter over 100,000 voters. It should be a candidate’s ability and achievements that should be assessed in the election, not their wealth. Such an inappropriate spending limit will create a bias against those who are unable to spend such large amounts of money during a campaign.

Opposes changes to the Local Electoral Act 2001 that would increase campaign spending limits.

No need to increase campaign spending limits. Submitter proposed an alternative formula based on an amalgamation of the spending limits of the current councils or one based on the parliamentary limits.
Recommends that the level of campaign spending limits be reviewed with the object live of greater fairness.

Peter Aimer (931)
Peter Bartlett (928)
Peter McConnell (719)
Peter Thomspon (717)

Clause deleted and existing spending limits retained.

Phil Chase (718)

All the power seems to favour the wealthier areas and candidates.

Pita Vete (836)

Concerned that an increase in campaign spending limits will limit the ability of youth to participate in local body politics.

Princes Street Branch, New Zealand Labour Party (837)

Propose that spending limits on Mayoral election campaigns is based on amalgamation of limits utilised by existing councils, or a limit set by parliament. Amendment favours wealthy candidates.

Prue Elvidge (1207)

Oppose the increase in campaign spending limits.

Pam Sellers (524)

Supports partial state funding of local government election campaigns.

Pamela Mills (519)

Lower spending limits to at least the level of parliamentary candidates.

Peta Joyce (526)

Local Electoral Act 2001 Base spending limits on current council limits or Parliamentary limits.

Pippa Coom Grey Lynn 2030 (293)

Opposes changes to current campaign spending limits.

Ramon Thackwell (090)

The change in campaign spending needs to be reviewed to ensure that the democratic process in not undermined.

Richard Pidgeon (924)

Lower spending limits to those of Parliamentary candidates.

Robert and Margaret Coldham (533)

Spending limits should be lowered to at least the level of Parliamentary candidates.
Robert Richards South Titirangi Ratepayers and Residents (541)
Opposes the repeal of Section 111 of the Local Electoral Act that sets the campaign spending limit.

Robyn Laing (091)
Opposes changes to electoral campaign spending.

Ruth Gordon (919)
Opposed to increased spending limits.

Sandro Kopp (546)
Opposes increase in campaign spending limits (amendment to Local Electoral Act 2001). This clause discriminates against poorer political organisations and candidates and favours richer political organisations and candidates.

Sarah Grimes (116)
The spending limits favour the wealthy as the upper limits are much too high.

Sione Tauliaki (540)
Local Electoral Act, The Mayoral campaign spending limit must be reduced greatly. Recommend it be changed to $100,000 plus 5 cents per elector, not 50 cents each. Mayoral candidates need to compete in terms of their personal qualities, ability to generate genuinely newsworthy statements and policies, and motivate voluntary workers, not in terms of the personal wealth of themselves and their supporters. Auckland Regional Amenities Funding Act, the amended provisions in the Bill aimed at ensuring these regional amenities are sustained financially, and in terms of good governance in the long-term, should specifically be supported, as should those for Museum of Transport and Technology and the Auckland War memorial Museum.

Scott Griffiths (947)
This is a very significant increase that would benefit wealthy candidates and those with big business backing, Limiting the ability of candidates to stand undermines the principles of the democratic process.

Su Yin Khoo (845)

Susan Washington (848)

Susanne Vincent (726)

Suzanne Dowling (1215)

Tamaki Community Board (195)
The spending limits for election campaigns should be lowered, at least to the level of parliamentary candidates.

The Aucklander (130)
Opposed to huge campaign spending limits which limit the average person from being able to compete with big business.

Trevor G Bridge (119)

Terry Anne Beazer (537)
The Bill provides a huge and disproportionate increase in the spending limits for the Auckland Mayoralty. Such a large limit will strongly favour candidates with large financial backing and is democratically unfair. Advocate that the spending limit be increased in proportion to current spending limits. Alternatively, a limit based on those for parliamentary elections could be adopted.

Tet Woo Lee (849)

The Mayoral campaign spending limit must be reduced greatly. Recommend it be changed to $100,000 plus 5 cents per elector, not plus 50 cents each elector.

The Labour Local Government Sector Council (958)

Campaign spending limits are excessive and potentially confer on those with significant financial backing inordinate ability to influence voters. A better formula would be based on aggregation of the present spending limits applied under existing legislation to those who sought election to the various existing local councils at the last local body elections.

Thomas Walter Harvey (850)

There should be substantially reduced financial limits on campaign costs to get more citizens involved in decision-making.

Tim McMains (851)

Titirangi Ratepayer and Residents Association (730)

Cap of $300,000 in the last three months be provided for.

Tony Siu (736)

The permitted amount of campaign spending suggested at present is much too generous. It will result in those with most money having a major advantage over those with less to spend. A modest amount, such as is allowed during parliamentary elections, is adequate and allows for all to participate in the process.

Valma and Ernie Gidman (133)

Spending limits for the Auckland Mayoral campaign have been set too high. A cap of $100,000 should be put in place.

Val Wynd (854)

Campaign spending limits too high. The amount allowed during parliamentary elections is more appropriate.

Vic Shankland (738)

Spending limits should be lowered, at least to the level of parliamentary candidates.

Waiheke Gulf News (740)

There should be a total spending limit of $200,000 in the three months leading up to the Mayoral election for Mayoral election expenses.

Walk Auckland Inc (861)

A more modest approach, in line with that allowed during parliamentary elections is more appropriate and in line with democratic traditions.

Warwick and Hueline Massey (862)

Electoral finances - maximum spending should be 25 per cent of annual remuneration for the position.
Otherwise elected representatives are beholden to their backers.

Western Bays Community Board (193)

The proposed campaign spending limits are far too high and will only favour those with personal wealth or those backed by big business. This is undemocratic and will not deliver fair representation for the people of Auckland. Supports the formula proposed by the Labour Party for calculating spending limits rather than the proposal within the bill.

YouSay NZ (136)

Opposed to increased spending limits.

Yvonne Matheson (547)

That the necessary additions are made to the Bill to require the disclosure of the names and physical addresses and amounts of the donations made to candidates in the candidates electoral returns, and that an unincorporated body does not qualify as a person and that a Post Office box number or similar does not qualify as an address. This is essential because the present Local Electoral Act makes it possible for election donations from individuals and other entities to be routed via an incorporated group and the failure to disclose the origin of donations is incompatible with an open and democratic system of local government.

Wayne Walker (866)

The Council is concerned that increased electoral expense limits will further restrict candidacy to those who are able to fund larger campaigns. Council submits that the current electoral expense limits in the Local Electoral Act be retained and the proposed amendments be removed.

Waitakere City Council (194)

Local Government Amendment Act 1992

Keyword: Opposed to repealing Section 77

A R Barnes - Protect Piha Heritage Society Inc. (1206)

Opposed to amendments and repealing of sections of the Waitakere Ranges Heritage Area Act 2008.

Adrian Riegen (141)

Aidan Burch (901)

Opposed to changes to the Local Government Amendment Act and the Waitakere Ranges Heritage Area Act.

Anne Ronaldson (155)

Alice Mila (146)

In the event that Auckland Council is required to prepare a Spatial Plan, the Auckland Regional Council recommends that section 18 of the Waitakere Ranges Heritage Area Act 2008 should be amended to refer to the Spatial Plan rather then the regional growth strategy.

Auckland Regional Council (916)

Barbara Lucy Baragwanath (216)

Ben Clark (214)

Bera MacClement (218)
No electoral mandate to include this provision in legislation.

Bruce Rogan (230)

Do not want ARC parks nationalised.

Camillo Spath (158)

Catherine Farmer (1691)

Retain the Waitakere Ranges in ownership of the people of Auckland.

Ceilla Govind (238)

Child Poverty Action Group (244)

Chris Everitt (97656)

Clare Bates (223)

Opposed

Clive Teare (901)

Ownership of Centennial Park should be transferred to the new Auckland Council.

Community Waitakere Charitable Trust (253)

D R E Chandler Auckland Associated Mountain Clubs Inc (170)

The parks were gifted for the people of Auckland and should be managed by the people who work there.

Dale Bradley (222)

Daniel Findon and Catherine Murray (259)

David Yates (301)

Debi Moore (221)

The Waitakere Ranges Heritage Area Act 2008 protects the foothills from becoming yet another Auckland suburb and retained the buffer that is so important for protecting the regional park wilderness.

Dr Paul Robinson (256)

Dr Thomas Jenkin (064)

Clause 1 - Role of the Mana Whenua board needs to be clarified. Clause 1 should be amended to require that two members of Mana Whenua board become voting councillors.

Edward Exton Fletcher (275)

Evelyn Ruth Davis (379)

Federated Mountain Clubs of NZ (Inc) (977)

Film New Zealand (1231)

Oppose the repeal of section 77 of the LGAA and the repeal of section 18 of the Waitakere Ranges Heritage Area Act 2008 as they could be used to weaken the protection of the Waitakere Ranges Heritage Area.
Proper consultation with the people affected by these changes should be conducted.

Gerd Loos (353)

Glenda Peake (554)

Ensure the Spatial Plan is consistent with the Waitakere Ranges Heritage Area Act 2008

Greg Presland (297)

Opposed to nationalising the Centennial Park in the Waitakere Ranges.

H L Moodie (288)

Opposed, could open the door to nationalisation of parks.

Heidi Tacbian (377)

To alter the legislation in the way proposed exposes both the Ranges parkland and the Waitakere Ranges Heritage Area to potential further development which is contrary to the intent of the legislation.

Henderson Valley Residents Association (803)

Hilary Jones (547)

Opposed to a repeal of section 77 of the Local Government Amendment Act as this would undermine the current protection of the Waitakere Ranges. Also, opposed to repeal of section 18 of the Waitakere Ranges Heritage Area Act 2008.

Hugh Grenfell (357)

Ian Gibbons (287)

Opposes the repeal of section 77 of the LGAA 1992 and the repeal of section 18 of the Waitakere Ranges Heritage Area Act 2008. Undermines the democratic process to protect this iconic area from the effects of creeping subdivision and development.

Jennifer Taylor (362)

Jeremy Galvib (359)

The Act in its final form must maintain the status quo in that it continues to require the regional plan, in the form of the Spatial Plan, to have regard to the Principles and Purposes of the Waitakere Ranges Heritage Area Act 2008.

Jo Quartermass Huia-Cornwallis Ratepayers and Residents Association Inc (500)

John and Barbara Lusk (34345)

Opposed to repeal of section 18 of the Waitakere Ranges Heritage Area Act as Spatial Plan will override the Act.

John Edgar ONZM (9798)

Karekare Residents and Ratepayers Trust (604)

Rather than repealed ownership transferred to the new Auckland Council.

Kath Dewar (702)
Opposed to repealing this section and section 18 of the Waitakere Ranges Heritage Area Act 2008 as the area must be considered of extreme importance to Aucklanders and any change in ownership without consultation is a breach of the democratic process.

Kay Thexton (602)
Ken I. Cowan and Marit J. Larson (073)
Kit Howden (065)
Kris Burrows (072)
K.I Cowan and M.J Larson (907)
Last Light Limited (600)
Leanne Page (8987)

The Bill would transfer ownership to the new super city council and opens the door to potential nationalisation of Centennial Park. Opposed to a loss of local control.

Leanne Taylor (812)
Leon Narbey (610)
Leone A McIndoe (611)
Lisa Er (964)
Lucy Hawcroft (555)
Lynda Williams (1225)
Mary Holm (092)
Massey Matters (814)
Matthew McIvor (815)

The Waitakere Ranges should be retained in the ownership of the people of Auckland

McLaren Park & Henderson South Community Initiative Inc. (813)
Megan Courtney (743)

Care for regional parks and natural resources must continue to be a primary function of any council structure.

Neil Miller (522)
Niico Woodward (613)

Local Government (Auckland Law Reform) Bill needs to clarify status of Auckland's regional parks under new governance arrangements.

Olga Brochner (1213)
Pam Unkovich (525)
Pat and Ron Watson (835)
Local Government (Auckland Law Reform) Bill

Patricia La Roche (1214)
Paul Bates (933)

Spatial Plan should be consistent with the Waitakere Ranges Heritage Area Act.

Peter Hosking (529)

Support Ranges Heritage Area.

Pippa Coom Grey Lynn 2030 (293)

Section 18 should be amended so that it applies to the proposed Spatial Plan which it is to replace and thus retain the important protection offered by the Waitakere Ranges Heritage Area Act.

Preserve the Swanson Foothills Society Inc. (838)

Raeburn House (921)

Ralph Lyon (619)

Rean Fadyl (618)

Red Locations Ltd. (617)

Rob Taylor (633)

Robert Richards South Titirangi Ratepayers and Residents (541)

Roimata Macgregor (631)

Ruth Milburn (920)

Samantha Wilson (636)

That the clause in the current Regional Growth Strategy that requires it to be consistent with the provisions of the Waitakere Ranges Heritage Area Act 2008 be included in the Spatial Plan.

Sandra Jones (629)

Sarah Ellis (623)

Sarah Metcalfe and Nicholas Ascough (635)

Shona Sangster (627)

Sigrid Shayer (538)

Simon Brown (634)

Simon Griffiths (539)

Simon Tapp (626)

Susan Washington (848)

T S Hughes (643)

Ted Scott (642)
Opposes repeal of Section 77 of the Local Government Amendment Act 1994. Suggests that the management of the Auckland Regional Park be substantially unchanged and that the Park not be nationalised.

David and Sheryl Tapp (055)

The Waitakere Ranges Regional Park must remain with the Auckland Council as a public asset for all residents to enjoy.

Dr M Dale (902)

Opposed to amending the Waitakere Ranges Heritage Area Act 2008.

Dr Thomas Jenkin (064)

Keyword: Propose section 77 amended so that "Auckland Regional Council" is replaced by "Auckland Council"

A R Barnes - Protect Piha Heritage Society Inc.  (1206)

A Young (742)

Alastair Jamieson (143)

Alice Mila  (146)

Control of Centennial Park will be lost unless control is vested in the Auckland Council.

Andrew Jull (149)

Opposes the proposal to repeal section 18 of the Waitakere Ranges Heritage Area Act. Schedule 3 needs to be amended such that section 18 of the Act is amended to read "Spatial Plan" rather than "Regional Growth Strategy".

Anna Maria Fomison and Max Pirini (153)

The ownership of this land by the people of Auckland should not be compromised in any way. The Waitakere Ranges Heritage Area Act Section 18 amended to read "Spatial Plan" rather than "Regional Growth Strategy".

Annie Gordon (157)

Arnold Turner (737)
In the event that Auckland Council is required to prepare a Spatial Plan, the Auckland Regional Council recommends that section 18 of the Waitakere Ranges Heritage Area Act 2008 should be amended to refer to the Spatial Plan rather than the regional growth strategy.

Auckland Regional Council (916)
Barbara Lucy Baragwanath (216)
Bera MacClement (218)
Do not want ARC parks nationalised.
Camillo Spath (158)
Child Poverty Action Group (244)
Chris Everitt (97656)
D R E Chandler Auckland Associated Mountain Clubs Inc (170)
The parks were gifted for the people of Auckland and should be managed by the people who work there.
Dale Bradley (222)
David Mather (261)
Debi Moore (221)
Opposed to the repeal of section 18 of the Waitakere Ranges Heritage Area Act.
Dr Catherine Harvey (273)
Section 18 of the Waitakere Ranges Heritage Area Act not be repealed.
Dr Mels Barton (274)
Eden Albert Community Board (162)
Environmental Defence Society Incorporated (291)
Evelyn Ruth Davis (379)
Federated Mountain Clubs of NZ (Inc) (977)
Film Auckland (744)
Film Construction (745)
Opposed to nationalising the Centennial Park in the Waitakere Ranges.
H L Moodie (288)
Opposed, could open the door to nationalisation of parks.
Heidi Tacbian (377)
Hilary Jones (547)
Ian and Barbara Dutton (747)
Ian Gibbons (287)

Individual Two (272)

Ownership of Centennial Park should be transferred from the Auckland Regional Council to the new Auckland Council and that the intent of the Waitakere Ranges Heritage Area Act be respected and retained. Campaign spending limits should be based on current limits or reflect parliamentary limits.

Jeffery Ronald Saunders (370)

Section 18 of the Waitakere Ranges Heritage Area Act 2008 should not be repealed.

Jenny Macdonald (372)

John and Barbara Lusk (34345)

Opposed to repeal of section 18 of the Waitakere Ranges Heritage Area Act as Spatial Plan will override the Act.

John Edgar ONZM (9798)

John Staniland (366)

Ken I. Cowan and Marit J. Larson (073)

Kim Walker (908)

Kit Howden (065)

Kris Burrows (072)

K.I Cowan and M.J Larson (907)

Last Light Limited (600)

Leanne Page (8987)

Leon Narbey (610)

Leone A McIndoe (611)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Area Act.

Linda Ruthe (962)

Lisa Er (964)

Liz Westbrooke (876)

Lynda Williams (1225)

Martin Bruce Roberts (818)

Mary Flaws (820)

Mary Holm (092)

Melean Absolum (715)

Nadine McDonnell (937)
Local Government (Auckland Law Reform) Bill needs to clarify status of Auckland's regional parks under new governance arrangements.

Spatial Plan should be consistent with the Waitakere Ranges Heritage Area Act.

That the clause in the current Regional Growth Strategy that requires it to be consistent with the provisions of the Waitakere Ranges Heritage Area Act 2008 be included in the Spatial Plan.
Oppose the repeal of section 77 (Auckland Centennial Memorial Park) of the Local Government Amendment Act 1992. Instead, support any reference to either the Auckland Regional Council or the Council, being replaced with Auckland Regional Council or Auckland Council.

Jan Barnes (079)

The Labour Local Government Sector Council (958)

Tim Feather (956)

Tim Hansen (645)

Waitakere Ranges Heritage Area Act 2008 should be amended so "Regional Growth Strategy" is replaced with "Spatial Plan".

Titirangi Ratepayer and Residents Association (730)

Tom Mahoney (732)

Tony Mayow (1219)

Tony Siu (736)

Trevor Darvill (1220)

It is important that the Spatial Plan has to have regard to the Waitakere Ranges Heritage Area Act and must not contradict its purpose and objectives. Therefore needs to be amendment such that section 18 of the Waitakere Ranges Heritage Area Act is amended to read "Spatial Plan" rather than "Regional Growth Strategy".

Waitakere Ranges Protection Society (859)

Waitakere Tramline Society Inc (860)

Wayne Mackenzie (640)

Wendy John (868)

West Auckland Historical Society Incorporated (869)

Yvonne Dufaur (641)

Local Government Official Information and Meetings Act 1987

Part 2 of Schedule 1 must have inserted in it Auckland Transport, the Waterfront Development Agency, Watercare and any other Auckland Council CCOs that may be established in the future.

The Labour Local Government Sector Council (958)

Keyword: Resource Management Act 1991

Supports change to RMA, section 33(2) that allows for the governing body to delegate to a Local board the role’s, functions and powers under the RMA. This Board is particularly concerned that local boards retain control over local planning and consenting issues so that it can conserve the heritage nature of the local area.

Devonport Community Board (824)
Part 2 Amendments to Local, Private, and Provincial Acts

Auckland Aotea Centre Empowering Act 1985

Amendments to the Auckland Aotea Centre Empowering Act 1985 should only be made in the context of how and to what extent the Auckland Council will fund and/or manage the other performing arts venues in the region. The governance and management of the Edge/Aotea Centre should be based on transparency and good governance; fostering community engagement and improving value for money and specified in an annual service agreement with the Auckland Council. Refer to submission for further detail.

Auckland Theatre Company (975)

Under the Auckland Aotea Centre Empowering Act 1985, the Auckland Council should be obliged only to make a reasonable contribution to the operating costs net of receipts of the Aotea Centre. Require the Auckland Council to review the Aotea Centre Empowering Act and report to the Department of Internal Affairs by 1 November 2013.

Auckland City Council (545)

Oppose the repeal of section 8A of the Auckland Aotea Centre Empowering Act 1985. Amend section 8A of the Auckland Aotea Centre Empowering Act 1985 with "The Auckland Council will negotiate an annual service agreement with the Aotea Board of Management to efficiently operate the facilities and deliver agreed community outcomes."

TelstraClear Pacific (125)

Reject the changes to the Auckland Aotea Centre Empowering Act 1985 that repeals and substitutes Sections 8 and 8A and amend the Act to allow for the Auckland Council to negotiate an annual service agreement with the Aotea Board of Management to efficiently operate the facilities and deliver agreed community outcomes.

North Shore Events Centre (832)

Auckland Aotea Centre Empowering Act 1985 - Reject the changes to this Act that substitutes sections 8A with "The Auckland Council must bear the operating costs of the Centre". Recommend replacing section 8A with "The Auckland Council will negotiate an annual service agreement with the Aotea Board of Management to efficiently operate the facilities and deliver agreed community outcomes".

Waitakere City Stadium Trusts (882)

Auckland Regional Amenities Funding Act 2008

Amendments to Auckland Regional Amenities Funding Act 2008 - Does not support repealing section 34 of this Act and substituting it with the wording proposed in the bill. Does not support removing the specified maximum total levy and the stepped approach to implementing the maximum levy. If section 34 is repealed the security and sustainability of funding for the specified arts organisations will be at risk. There is also a risk of a diminution in the services they offer. Recommends that section 34(5)(b) and (c) be retained with necessary modifications to provide for the maximum total levy payable by the contributing authority to be retained, and the stepped approach to increasing the levy to the maximum be retained.

Arts Council of New Zealand Toi Aotearoa (Creative New Zealand) (156)

Support the Auckland Regional Amenities Funding Act 2008 and its significance in both the recognition of and investment in key amenities that service the region. Support the criteria in the Bill to determine "regionality" as many arts organisations have expressed concern over where they will be positioned in future governance. Recommends the retention of the Auckland Regional Amenities Funding Act 2008 and its model used for accountability, funding, and delivery.
The proposed legislation includes several amendments to the Auckland Regional Amenities Funding Act 2008 in recognition of the establishment of the Auckland Council as the single contributing authority. The Bill also proposes repealing section 34, which establishes the maximum total levy payable by the contributing authority. The repeal of the maximum levy guidelines erodes the fundamental principles on which the original Act was predicated. The Trust does not support repealing section 34 of the Act and substituting it with the wording proposed in the Bill. In particular the Trust does not support removing the specified maximum total levy and the stepped approach to implementing the maximum levy.

ASB Community Trust (174)

Opposes amendments to Section 34 (5) of the Auckland Regional Amenities Funding Act 2008. The retention of funding caps would ensure that there is a maximum levy that could be paid in any one year - providing budget certainty for the Auckland Council and amenities.

Auckland Amenities Board (041)

Part 2: Auckland Regional Amenities Funding Act 2008. Supports the substitution of the Auckland Council for the existing local authority. Furthermore, it considers reporting directly to the Council appropriate. Opposes the change to repeal Section 34.

Auckland Philharmonic Orchestra (182)

Recommends that the proposed amendment to section 4 of the Auckland Regional Amenities Act 2008 is extended to read: "Electoral college means Auckland Council including any committee of the Auckland council but excluding council-controlled organisations." Opposes the repeal of section 34(5) and 34 (6) of the Auckland Regional Amenities Funding Act 2008.

Auckland Regional Amenities Board (183)

Auckland Regional Council recommends that the Amenities Funding Act is repealed.

Auckland Regional Council

Support for amending the Auckland Regional Amenities Act 2008 section to read "Electoral College means the Auckland Council". Opposes the repeal of Section 34 of the Auckland Regional Amenities Act 2008 as it provides for sustainable funding and future development of the Amenities.

Auckland Theatre Company (975)

Supports the Auckland Regional Amenities Funding Act (ARAFA) 2008 and the recognition and investment in key amenities that service the region. The Act bill accomplished what had not been achievable in the past with the various councils’ individual approaches. The premise of the Act bills and its funding board is a contemporary model that will work well for the resourcing and delivery of regional amenities and undertakings across Auckland. In particular, the Auckland Writers and Reading Festival (AWRF) supports the criteria in the bill to determine “regionality” and believes with its reputation, brand awareness, and annual audience figures of 25,000 from across the region, AWRF would meet these criteria. AWRF submits that the Auckland Regional Amenities Funding Act 2008 be retained with the above amendments and used as a model for funding, delivery, and accountability.

Auckland Writers & Readers Festival (189)

The creation of a single Council for Auckland removed the need for the Auckland Regional Amenities Funding Act 2008 so the Act should be repealed. This would enable the Auckland Council to fund regional amenities from across all its ratepayers and save on administration costs for the Regional Amenities Fund Board.

Botany Community Board (950)

Support definition of 'Electoral College'. Oppose the repeal and substitution of Section 34 of the Auckland
Regional Amenities Funding Act 2008.

Dean Lawrence - Coastguard Northern Region (252)

Supports Auckland Council becoming the Electoral College. The Funding Board should report directly to the Auckland Council including any committees but not through CCOs as it could adversely affect the Trust's ability to attract funding. Funding cap should not be repealed as it gives certainty to funding and continues stepped increases in funding.

David Inns Auckland Festival Trust (169)

That Part 2 of Schedule 3 of the Bill be amended to repeal the Auckland Regional Amenities Funding Act 2008, providing for funding for regional amenities to be set by the Auckland Council.

Manukau City Council (957)

Auckland Regional Amenities Funding Act 2008. Provide that the definition of "Auckland" take effect from 1 July 2010 for the levies for Museum of Transport and Technology and Auckland Museum.

Franklin District Council (509)

Repeal the Auckland Regional Amenities Funding Act 2008

Maurice Hinton (78576)

The Trust Board supports the "Electoral College means the Auckland Council" amendment to the Auckland Regional Amenities Funding Act 2008. The Trust Board does not support the repeal of Section 34 of the Auckland Regional Amenities Funding Act 2008. The retention of the funding caps provide the specified amenities with clearly defined funding limits which is sustainable and moderated.

New Zealand Maritime Museum Trust Board (102)

Supports amendments to substitute 'existing Territorial Local Authorities' with "Auckland Council". Opposes repeal of and substitution of Section 34 of the Act.

New Zealand Opera Ltd. (970)

Supports section referring to the Auckland Regional Amenities Funding Act. The amending provisions ensuring that these regional amenities are sustained financially and in terms of good governance need to be continued.

Nga Whaea Atawhai o Ranui Sisters of Mercy Ranui (821)

Auckland Amenities funding - provisions which set a cap on mandatory Council levies to those amenities specified in the Auckland Regional Amenities Funding Act have been excluded from the Bill. It is imperative that the cap be included. No change should be made to the current limit, as this is a matter best reviewed by the Auckland Council. Council would recommend either the status quo remain and be embedded in legislation, or that the Auckland Regional Amenities Funding Act be repealed, and that the Auckland Council reconsider this matter, as they may wish to review funding levels and processes.

Papakura District Council (196)

Auckland Regional Amenities Funding Act - the cap on funding has been removed. Technically this gives the board the ability to charge the Auckland Council as much as it likes. Recommend the repeal of the entire Auckland Regional Amenities Funding Act as its purpose disappears with the amalgamation of the existing Auckland local authorities into the Auckland Council.

Rodney District Council (976)

Supports the Auckland Council becoming the Electoral College. Opposes repeal of subsection 34(5) of the
Auckland Regional Amenities Funding Act 2008. This funding cap will ensure that the Auckland Council has the ability to plan for the maximum amount of funding that could be levied in any given year.

Steve Johns Auckland Amenities Board (168)

Auckland Regional Amenities Funding Act - support the removal of the artificial funding cap. Doubt there should be a continuing reference to Franklin District in the Act and also support the amended provisions for the Museum of Transport and Technology and Auckland War Memorial Museum.

The Labour Local Government Sector Council (958)

Auckland Regional Amenities Funding Act - has some proposed amendments to this Act, see full submission for details. Watersafe Auckland is not in favour of the removal of section 34(5) relating to the maximum total levy of contributing authorities. Retaining the funding cap provides for planning under the annual planning process for the maximum amount to be budgeted for and there is total certainty as to the maximum levy that could be paid in any one year. Watersafe Auckland supports the substitution of the Electoral College with the Auckland Council, but does not support the repeal and substitution of section 34 of the Act.

Watersafe Auckland Inc (865)

Regional amenities - the Council proposes some minor changes that ensure amenities payments during the transition period are continued but seeks a more thorough review of the funding arrangements for the longer term, to apply consistent, fair and democratic principles of accountability. The proposed amendment that would remove the funding cap should be deleted. To reinstate the funding cap the Auckland Regional Amenities Funding Act needs further amendment and this is suggested (see the original submission for detail of the proposed amendment). The Council further submits that the new Auckland Council must be required to enquire into, and resolve on a more long-term basis, the less-than-satisfactory situation with an proposed review clause (see submission for proposed wording).

Waitakere City Council (194)

Auckland War Memorial Museum Act 1996.

Support the intention in recognising the status of the Museum by retaining its empowering statute.

Suggested recommendations for the Auckland War Memorial Museum Act 1996:
Delete "contributing authority" in section 2, and replace with a/the/any contributing authority” with the equivalent reference to "Auckland Council" in Section 4(3); Section 5(4) and subsection 5(4)(a); Section 12(2)(f); Section 22(5); Section 28(5)(b); and Section 29: heading and text.

The reference to section 13 (to be repealed) should be removed from section 7(8);

Amend the definition of "Electoral College" to replace the words "Auckland Council" with the words "not less than 7 members of the Auckland Council, who shall elect a chairperson for each meeting";

The new clause 23(3) should read: "The Auckland Council must pay the levy on the next 1 July after the Board makes the levy referred to in subsection (2); and

Section 6(4) of the Local Government Act 2002 should be amended with a new sub-sub-section "(ga) The Auckland War Memorial Museum", or include after section 10 in the Auckland War Memorial Museum Act "10A Museum is not a CCO. The Museum is deemed not to be a CCO under the Local Government Act 2002.

Auckland Museum Institute (177)

- Replace the terms "contributing authorities" and "Electoral College" where they occur in the Act by the term "the Auckland Council";
- Remove redundant reference to section 13 in section 7(8);
- Section 22(3) requires a meeting with the chairperson of the Electoral College. Should this be a reference to the Mayor or a member of the Auckland Council?
- Repeal 22(7) as it will require the Auckland Council to send itself a copy of its submission on the draft
annually plan to itself;

- The Museum is concerned to ensure there should be no expectation that the levy will diminish as a result of the exclusion of part of Franklin District;
- Section 23(5) requires payment of the levy on 1 July each financial year. Maybe retain this to avoid monthly or quarterly payments; and
- 50 per cent Council appointed members of the Trust Board could bring the Museum under the definition of a CCO. To avoid this add the Auckland Museum Trust Board to section 6(4) of the Local Government Act 2002.

Auckland Museum Trust Board (179)

Museum of Transport and Technology Act 2000

The Amenities Board supports the proposed definition of the Electoral College.

Auckland Amenities Board (041)

That references to Franklin District that the Bill proposes to include in the Amenities Funding Act, the Museum Act and Museum of Transport and Technology Act are removed.

That the Bill does not repeal section 5(4)(b) of the Museum of Transport and Technology Act.

Auckland Regional Council recommends that the provision removing caps on the funding levies in the Museum Act and the Museum of Transport and Technology Act be deleted from the Bill. In the event that the Amenities Funding Act is not repealed, a cap on the funding levied under this Act must also be retained.

Auckland Regional Council (916)

Support for proposed changes to the Museum of Transport and Technology Act 2000 as these changes will allow for the continued development of the museum.

Museum of Transport and Technology Society (085)

Waitakere Ranges Heritage Area Act 2008

Keyword: Opposed to repeal Section 18

A R Barnes - Protect Piha Heritage Society Inc. (1206)

Aidan Burch (901)

Auckland Regional Council (916)

Opposed to repealing Section 18 of the Waitakere Ranges Heritage Area Act - need to protect this regional park.

Ben Burrows (213)

Both the Hauraki Gulf Marine Park Act 2000 and Waitakere Ranges Heritage Area Act 2008 should continue to apply to the new Spatial Plan. For further detail please refer to original submission.

Environment and Conservation Organisations (734)

Glenda Peake (554)

Individual Six (549)

Individual Submitter 10 (966)

Opposed to repeal of Section 18 Waitakere Ranges Heritage Area Act. Its removal will be pointless unless the
Spatial Plan is required to be consistent with it. The Waitakere Ranges is just one more asset to be exploited.

Dr Paul Robinson (256)

Opposed to repeal of section 18 of the Waitakere Ranges Heritage Area Act 2008 and loss of protection in the Spatial Plan.

John Staniland (366)

Oppose repealing section 18 of the Waitakere Ranges Heritage Area Act 2008.

Melean Absolum (715)

Karekare Residents and Ratepayers Trust (604)

Rather than repealed, ownership transferred to the new Auckland Council.

Kath Dewar (702)

K.I Cowan and M.J Larson (907)

Leanne Page (8987)

The Spatial Plan should be subject to the Waitakere Ranges Heritage Area Act.

Linda Ruthe (962)

The Waitakere Ranges are our natural treasure and national asset that should remain a gift to the people of Auckland and continue to be protected.

Linda Swift (963)

Lisa Er (964)

Liz Westbrooke (876)

Ownership transferred to the Auckland Council.

Luis Lachica (723)

Luke Ballantine (1222)

Lusi Schwenke (1223)

Lynda Williams (1225)

Massey Matters (814)

Matthew McIvor (815)

Care for regional parks and natural resources must continue to be a primary function of any council structure.

Neil Miller (522)

Nevine Tawfik (831)

The Bill needs to clarify status of Auckland’s regional parks under new governance arrangements.

Olga Brochner (1213)
Pam Unkovich (525)
Patricia La Roche (1214)
Paul D. Scott (929)

Spatial Plan should be consistent with the Waitakere Ranges Heritage Area Act.

Peter Hosking (529)

Section 18 should be amended so that it applies to the proposed Spatial Plan which is to replace the growth strategy and thus retain the important protection offered by the Waitakere Ranges Heritage Area Act.

Preserve the Swanson Foothills Society Inc. (838)

Concerned that an increase in campaign spending limits will limit the ability of youth to participate in local body politics.

Princes Street Branch, New Zealand Labour Party (837)

Ralph Lyon (619)

Richard Challis (923)

Rob Taylor (633)

Robert Richards South Titirangi Ratepayers and Residents (541)

Robert White (614)

Ruth Milburn (920)

Samantha Wilson (636)

That the clause in the current Regional Growth Strategy that requires it to be consistent with the provisions of the Waitakere Ranges Heritage Area Act 2008 be included in the Spatial Plan.

Sandra Jones (629)

Sigrid Shayer (538)

The Bill provides a huge and disproportionate increase in the spending limits for the Auckland Mayoralty. Such a large limit will strongly favour candidates with large financial backing and is democratically unfair. Advocate that the spending limit be increased in proportion to current spending limits. Alternatively, a limit based on those for parliamentary elections could be adopted.

Tet Woo Lee (849)

Submitter opposes repeal of the Waitakere Ranges Regional Park and believes that the "Auckland Regional Council" should be replaced by "Auckland Council". Section 18 of the Act should be amended to read "Spatial Plan" rather than "Regional Growth Strategy".

The WeedFree Trust (954)

Waitakere Ranges Heritage Area Act 2008 should be amended so "Regional Growth Strategy" is replaced with "Spatial Plan".

Titirangi Ratepayer and Residents Association (730)
It is important that the Spatial Plan has to have regard to the Waitakere Ranges Heritage Area Act and must not contradict its purpose and objectives. Therefore needs to be amendment such that section 18 of the Waitakere Ranges Heritage Area Act is amended to read "Spatial Plan" rather than "Regional Growth Strategy".

Waitakere Ranges Protection Society (859)

Opposed to the repeal of section 18 of this Act. It should instead be amended to refer to the Spatial Plan being prepared under the Bill.

Waitakere City Council (194)

William Jordan (872)

William Robert Wilson (873)

Yvonne Dufaur (641)

**Waitemata City Council (West Harbour) Empowering Act 1979**

Waitemata City Council (West Harbour) Empowering Act 1979 - supports the proposed amendments, but cautions other provisions should be retained as they contain essential by law making powers.

Waitakere City Council (194)
Part 3 Amendments to Regulations

No submissions were received on this part.
## Schedule 4

Provisions that apply to certain employees of Auckland Regional Transport Authority and Auckland Regional Transport Network Limited

Recommends provisions are amended to refer to all employees who transfer to a position in a different location.

Auckland Regional Council (916)
Schedule 5

Redundancy and compensation provisions that apply to certain employees of Auckland Regional Transport Authority and Auckland Regional Transport Network Limited.

No submissions were received on this clause.
General Opposition to Auckland Governance Reforms

Imposes corporate control over public amenities, services, environmental and land issues. Removes public right and ability to influence decisions made over local conditions and services. Undemocratic process. Ratepayers lose any influence.

Barbara Jones (022)

System of governance is significantly different from the system proposed by the Royal Commission.

Barbara McNally (207)

A majority vote of the residents of the region should be required before this Bill can be made law.

Bill Leonard (043)

There should be much more involvement of democratically elected decision makers and a referendum on the final Bill should be put to the people of Auckland.

Brian Murphy (228)

The Bill greatly reduces the level of democracy in Auckland and thus fails to deliver what Aucklanders clearly stated that they wanted in a new structure.

Bridget Graham (989)

There is no evidence that this Bill or its predecessors will enable better balance of interests, eg Commerce.

Centre for Urban and Transport Studies (991)

No mandate for change on the scale proposed. Hold a referendum.

Colin Beardon (025)

The whole process is undemocratic. Northern Rodney residents have been misled. Need assurances that a rural area in an urban city will be listened to and our needs met. Guarantee that essential services such as water, waste water will be kept under control by an accountable council, not a private company.

Dennis Brown (046)

The Bill should be revisited in detail with a view to provide improved provision for community engagement and decreased constraints on participation at all levels.

Diane Baguley (027)

Bill does not provide a governance structure that provides for effective community participation.

In the Bill the management of public assets as provided for, will lead to the eventual sale of these public assets.

Dr Katharina Bauer (038)

Oppose the formation of the Auckland ‘supercity’ as it will not be able to effectively or competently represent the best interests of the Auckland region or its inhabitants. One central Council will not be able to make
decisions that are good for all the diverse range of people and communities that live in Auckland.

Elisabeth Laird (281)

Too much authority given to the Auckland Transition Agency and the Auckland Council, and fewer opportunities for local communities to be heard or have their needs met. Also, disappointed that Royal Commission recommendations mostly disregarded.

Emily Smith (286)

General opposition to the Auckland governance reforms, greater consultation required.

Felicity Day (1232)

Auckland residents have been under informed about the nature, scope, motivation and negative potential of the Bill.

Harry Russell Haley (918)

Oppose the Bill and the governance reforms and it is a fundamental right of democratic government that any change to a system of governance should be agreed by the majority of those governed.

Jarad Bryant (363)

Nadine McDonnell (937)

Fundamentally opposed to the establishing of one Auckland Council.

Papakura District Council (196)

Creating a dysfunctional, anti-democratic structure

Pat and Ron Watson (835)

I oppose the Local Government (Auckland Law Reform) Bill because: a single Auckland Council does not cater to the diverse local needs of communities in the Auckland region; there is a power imbalance between the Auckland Council and Local boards; and little opportunity for democratic community voice

Patricia Bolton (713)

Paul D. Scott (929)

Peter Bartlett (928)

Oppose because: timeframe too fast; loss of local management; and likelihood of the privatisation of the ports and airport.

Peter McConnell (719)

Opposed to the concept of a supercity council for Auckland. Wish for local government to remain as it is.

Robin Lorenz Hill (841)

Roger Bryant (9936)

Ruth Milburn (920)

SavePapakura (941)

Oppose the Bill in its entirety.
Alastair Jamieson (143)

Generally opposed to the Bill.

Bailey Peryman (1205)

Puts too much power in the hands of central Government and the unelected ATA, thereby undermining local communities. Enables the privatisation of public assets before 2013, except water in 2015.

Barbara Lucy Baragwanath (216)

Opposed to the Bill:
- Serious concerns with the major and far reaching changes to the ownership and control of regional public assets and accompanying loss of democratic rights that are signalled in the legislation;
- The total failure of achievement of a "delicate balance" between ensuring appropriate levels of local democracy and enabling regional coordination;
- The unravelling of democratic structures and the corporatisation of local government that the content of the final Bill sets in place;
- The lack of attention in the Bill to the establishment of legal safeguards and powers for Local boards to govern their communities effectively; and
- Put a referendum to the people on the creation of the Auckland Council.

Carol Weitzel (234)

Opposed to supercity being imposed on Aucklanders without having asked them. Semi privatisation of essential services, rates will keep increasing while representation is just given lip service.

Christian Graffeuille (215)

The Bill should be amended to include recognition of the Treaty of Waitangi and the United Nations Declaration of Indigenous Peoples Rights. The Bill should be amended to include a code of conduct defining how the Auckland Council interacts with local citizens.

Dr Lorna Dyall (057)

The Governance of Auckland needs to be positioned to ensure alignment of the Auckland region, respect to decision making, policy development and effective service delivery. There needs to be a shared vision for the Auckland as a whole encompassing Central Government, Auckland Council, CCOs and Local boards. It is vital that the Auckland Council focuses on regional issues and not be caught up in decisions that can be made at a local level by Local boards. It is essential that the different makeup of the communities is recognised and that equity and access issues across the region are reflected in base funding agreements that reflect these differences.

Fay Freeman Takapuna Community Board (190)

Should be redrafted to give a more democratic vision of Auckland's future development to 2050.

Geoffrey John Beresford (350)

Opposes the Bill as it makes the achievement of environmental outcomes impossible.

Hauraki Islands Branch Royal Forest and Bird Protection Society (904)

Oppose the Bill in general. Greater consultation needed. Bill is a betrayal of the principles of the Treaty of Waitangi.

Huhana Davis (061)

Opposes creation of Auckland Council
Jacqueline Amoamo (076)

Fear that the concept of the super city is contrary to the principles of human scale, face to face cooperative community.

Janusz and Patricia Malowaniec (361)

Oppose Local Government (Auckland Law Reform) the Bill in general.

John Elliott (081)

Opposed to Bill, democracy is not alive and well.

John Pearce (606)

Opposed to the Bill as it stands.

Jon Carapiet (879)

Opposed to Auckland Governance reform in general as Aucklanders have not had the opportunity to vote for change.

Kathleen Mary O’Sullivan (082)

Generally opposed to the Bill. Recommend that Local Government (Auckland law Reform) Bill is rejected by Parliament.

Keith Sharp (1209)

The unique needs of the Manukau area require a very specific set of measures to address - the proposed structure of the Auckland Council is being implemented too fast and won’t meet these needs.

Linda Crowsen (960)

Generally opposed to the Bill and to Auckland governance reform.

Lisa Prager (1226)

Oppose intent of Bill. Auckland Transitional Agency has decision making powers without the obligation for consultation with the public.

Maggie Gresson - Artists Alliance (159)

The Bill introduces measures not recommended or supported by the Royal Commission on Auckland Governance.

Mark Paterson (107)

Generally opposed to Local Government (Auckland Law Reform) Bill.

Michael Douglas Scott (1212)

Provide higher levels of representation per person.

Neil Miller (522)

Concerned that the Local Government (Auckland Law Reform) Bill does not take into account the impact that the changes to Auckland governance will have on community organisations.

New Zealand Federation of Voluntary Welfare Organisations (1221)
Suspend the Auckland reorganisation and amend the legislation controlling the activities and powers of the Auckland Regional Council to tighten the controls on an existing, stable and proven Local Government system. Repeal the Local Government (Tamaki Makaurau Reorganisation) Act 2009

Ross Williams (532)

A clause must be introduced to grant voters the right to have a poll (for electors affected by major changes in their local government, as under the Local Government Act 2002, section 24, schedule 3) as the first step of the Reform.

Sarah Grimes (116)

Opposed to the process and the intent of the changes proposed for the Auckland region.

Suzanne Michele Weld (881)

Generally oppose the Local Government (Auckland Law Reform) Bill because it is undemocratic. Propose that more mechanisms for democratic accountability introduced into Local Government (Auckland Law Reform) Bill.

Pat Bolster (1208)

Support the Royal Commission's draft bill setting out the powers and authorities of the proposed Local Councils. The delegated authority proposed by the Royal Commission would allow ample scope for our rural ward to participate in the governance of Auckland while also giving us autonomy to conduct our own local affairs, given that bulk funding was implemented.

Pohutukawa Coast Community Association (113)

**Petitions to Local Government and Environment Committee**

During the course of submissions to the Local Government (Auckland Law Reform) Bill, 20 people sent form submissions comprising five petitions to Parliament opposing Auckland Governance reforms. These petitions have been referred to the Local Government and Environment Committee.
General Opposition to Northern and Southern Boundaries restructuring

Keyword: Deprive rights of Franklin/Rodney/Papakura

Completely undemocratic, there has been no formal vote of the Franklin people - few people want to see Franklin divided.

Bob Lack (212)

The Bill is anti-democratic, because the power and decision making is further removed from people and communities and put in the hands of unelected ministerial appointees. The intention seems to prepare the way for privatisation of assets.

Brian and Robin Griffiths (226)

Rodney District will have less say in what will go on in our community as part of the Auckland Council. Outlying areas will be a “cash cow” for Auckland.

Clari Davis (224)

Should be provision for areas such northern Rodney to be left out of the Super City?

Dennis Brown (270)

Elizabeth de Man (282)

More thought should be given to the Northern Boundary of Rodney District.

Jim Dawson (993)

Michael Andreasen (1201)

The people of Franklin District do not want to be part of the Supercity and they wish the District to remain in its current form.

Nathan Ngatai (014)

Opposes North Rodney being included in the Auckland Council area.

Peter Buckton (095)

William Garden (131)

A boundary north of Warkworth should be established, at the beginning of Dome Valley, and all above should join Kaipara in a new authority.

Vic Shankland (738)
Other points raised in Submissions

The Bill fails to set out the role, functions, and responsibilities of the proposed Economic Development, Tourism and Events Agency.

Auckland Chamber of Commerce (175)

Amend section 151(2) of the Local Government Act 2002 to provide that a bylaw may also leave any matter or thing to be regulated, controlled or prohibited by a local board by resolution.

Amend section 113(1) of the Local Government Act 2002 to allow the Auckland Council to borrow in foreign currency provided that the foreign currency exposure is fully hedged.

Provide for the Remuneration Authority to determine the remuneration packages for the elected members of the Auckland Council and local boards by 30 June 2010.

Auckland City Council (545)

Concepts not covered in the Bill, which should be added to it are that sustainability and social equity must be at the heart of the long-term vision for Auckland. Auckland women need a city where there is a strong, healthy, safe and just society, living within environmental limits. This needs to include the facilitation and provision of social and affordable housing, making Auckland City safe for women, a child and family-friendly city, creating training and employment, and personal development and affordable recreational opportunities for young people.

Auckland Women’s Centre (184)

Include Waitakere City Council proposal for council control of the existing network of refuse transfer stations. Specifically, the proposal involves a public – private partnership between existing territorial authorities and TPI and ELS which would create a joint venture that gives council control over the existing networks of transfer stations. Enabling legislation is needed to exempt the proposal from Commerce Act requirements lessening competition and to meet the urgent timeframes.

Bruce Middleton for Waste Not (231)

The existence of the Social Policy Forum is absent from the legislation. The Cabinet decision to establish a Social Policy Forum remains an interim response to the need for greater engagement from Wellington in the complex social development needs of Auckland. While the details of the Social Policy Forum's operation will be subject to development over time, the mandate for it needs to be reflected in the Bill.

COMET Charitable Trust (250)

There should be a disability advisor appointed to the Council (in a similar way to the Māori advisor). If a disability advisor is appointed, Auckland will become a more accessible city, meaning easy access to all areas and transport for the disabled making Auckland a better city to live in.

Gayleen Mackereth (351)

The Auckland Council should be required to invest in community-based organisations. Community-based organisations should be allowed funds to develop community owned assets and facilities.

Lisa Markwick (1224)

Policies are needed on consultation and engagement with people with a disability and children and young people are needed.
The Auckland Council should be required to invest in community-based organisations and preserve public facilities. The Auckland Council should be required to support the services delivered by community-based organisations. The Auckland Council should be required to consider and, where applicable, transfer community-owned assets to community-based organisations for ownership and operation.

New Zealand Federation of Voluntary Welfare Organisations (1221)

The Local Government (Auckland Law Reform) Bill should include a consultation mechanism with disabled peoples.

Otara Community Board (203)

Where do Business Improvement Districts sit in the proposed structure? How can local business influence what happens in their local business community?

North Shore Town Centres Group (511)

A governing document is needed for Auckland Council and local boards. For further detail please refer to the original submission.

Onehunga Business Association (721)

Supports a Youth Council.

Pamela Mills (519)

There needs to be a 20 year infrastructure plan for the Region. Recommend the formation of a Business Reference Group to advise Council on matters relating to the business community.

Peter Atkinson The Employers and Manufacturers Association (Northern) (551)

To grant Commerce Act exemption to enable the formation of a Public Private Partnership between Auckland Council and private landfill owners to control the region’s waste disposal functions. This would deliver waste disposal pricing in the region which captured externalities and provided a realistic threshold under which resource recovery activities such as organic waste processing would be viable.

Rob Fenwick (1235)

What happens to council housing?

Sigrid Shayer (538)

Generally oppose the Local Government (Auckland Law Reform) Bill because it is undemocratic.

Suzanne Dowling (1215)

The Bill should contain specific reference to the Treaty of Waitangi. Consult further with Māori on local advisory boards or Taumata.

Te Taumata Runanga (535)

Injury is a major issue affecting children, residents, families, communities and visitors of Auckland City. The Local Government (Auckland Law Reform) Bill is an opportunity to ensure that Injury Prevention capacity, staff, resources Pacific and Māori representation will be retained and further developed within the Local Government Services of Auckland.

Teresa Stanley for Auckland Injury Prevention Forum (171)
Encourage the establishment of a Disability Forum and a Youth Forum.

Tuou Manapori Pacific Islands Advisory Committee (513)

Would like the new Council to have the ability to join hands with private or community enterprises to have control over the waste stream so they are able to meet the objectives of the Waste Minimisation Act. Would like to see the new Council with enough power to enable waste minimisation.

Gareth Jones (557)

The Local Government (Auckland Law Reform) Bill makes few mentions of the Waikato District Council, this needs to be remedied. Assets owned by the Franklin District Council in areas to be transferred to the Waikato and Hauraki District Councils need to be vested to the Waikato and Hauraki District Councils. Liabilities transferred need to be transferred equitably, and the liability for the Tuakau wastewater treatment plant needs to be transferred to Watercare Services.

The Local Government (Auckland Law Reform) Bill should contain a provision that all gazette notices vesting the administration of Crown land in the Franklin District Council that is to be transferred to the Waikato District Council must be amended to reflect the transfer.

The Waikato District Council is seeking that the Franklin District Council develop an 8-month annual plan, on behalf of the Waikato District Council for the area to be transferred, for the period of 1 November 2010 to 30 June 2011. This plan will be based on year two of the Franklin 2009/19 Long Term Council Community Plan. The Waikato District Council is seeking that no consultation will be required on the 8-month annual plan. The Waikato District Council is seeking that the Government have a plan that articulates how imbalances between Franklin District Council's annual plan and funds transferred to the Waikato District Council is going to be funded.

The Waikato District Council does not wish to develop a Long Term Council Community Plan at an early date for the area transferred from the Franklin District Council.

Waikato District Council (201)

That the Auckland Transition Agency be required to consult with the Council Controlled Trading Organisation and the third party and take into account any effects of proposed transition of assets and proposed CCO destination of those assets on the business operations of the join venture/enterprise. That the Auckland Transition Agency be required to consult with Waste Disposal Services, as an existing Council Controlled Trading Organisation, in relation to proposals for achieving long term integrated waste management and minimisation planning and services.

Waste Disposal Services (983)
Amend Section 8

Auckland Regional Council recommends that a new clause be inserted into the Bill that repeals section 8(1) of the Auckland Council Act. This would take effect after the Local Government Commission has made its determination, so there would still be 20 members on the Council for the first time.

Auckland Regional Council (916)

Amend Section 10

The Council proposes that the local board purpose statement be amended to give more clarity and direction by adding to clause 10 of the Local Government (Auckland Council) Act a further subclause of: “10(c) enabling integrated decision-making about places, formation of local identity and local community development.” Further attention needs to be given to strengthening the process of negotiation and dispute resolution.

Waitakere City Council (194)

Amend Section 19

Section 19 of the LGACA should be amended to read "19(1) To provide predictability and certainty about levels of funding for local boards, the Auckland Council must, after taking account of the views of the local boards, adopt a local boards funding policy."

The Council submits that section 124 of the Animal Welfare Act 1999 be amended to enable Auckland Council and other territorial authorities to directly appoint Animal Welfare inspectors at their discretion. The suggested amendments would enable current appointments to continue until the Auckland Council can determine a policy to address animal welfare. Proposed amendments are suggested in the original submission.

Waitakere City Council (194)

Amend Section 20

An amendment to section 20 of the Auckland Council Act to correct the reference to 'LTCPP" in subsection (4)(b)(i) to LTCCP.

Auckland Regional Council (916)

Suggest that an exemption from section 20(3) of the Local Government (Auckland Council) Act be enacted for the first plan. As the local board plans may not be in place when the first local board agreements are in place, amend section 21 of the Local Government (Auckland Council) Act to require the first agreements to be consistent with the Council's initial planning document. Also clarify that section 21 does not apply to these first agreements. Until 1 July 2012 the Auckland Council's rates assessments must include a summary of the rates and remission and postponement policies that apply to the areas of the relevant pre-existing council only.

Auckland City Council (545)
Amend Section 21

Insert a new clause into the Bill, which amends section 21(2) of the Local Government (Auckland Council) Act, to provide that the governing body and a local board should ensure that a local agreement is consistent with the local plan, unless they consider there is good reason not to do so.

Insert a new clause into the Bill, which amends section 21 of the Local Government (Auckland Council) Act, to provide, where appropriate, that a local board agreement must provide funding or any duties or responsibilities delegated by the governing body.

As the local board plans may not be in place when the first local board agreements are in place, amend section 21 of the Local Government (Auckland Council) Act to require the first agreements to be consistent with the Council's initial planning document. Also clarify that section 21 does not apply to these first agreements. Until 1 July 2012 the Auckland Council's rates assessments must include a summary of the rates and remission and postponement policies that apply to the areas of the relevant pre-existing council only.

Auckland City Council (545)

Amend Section 22

Auckland Regional Council recommends that a new clause is inserted in the Bill repealing section 22(3) of the Auckland Council Act.

Auckland Regional Council (916)

Repeal section 22(4) of the Local Government (Auckland Council) Act which provides an exception to the requirement that local board agreements must be included in the LTCCP and annual plans.

Auckland City Council (545)

Amend Section 24

Section 24(2) of the Auckland Council Act be amended to enable the Auckland Council to consider a local board's proposal for a new bylaw and to make a decision to accept or reject the proposal, subject to the limitation that the proposal can only be rejected where the bylaw fails to meet certain requirements. There are requirements that it: complies with a statutory requirement; is consistent with strategy, policy, plan or bylaw of the Council; can be implemented and enforced within the local board's budget; and will not have any significant effect outside the local board's area.

Auckland Regional Council (916)

Amend Section 26

Recommends that section 26(1) of the Auckland Council Act be amended to enable local boards to propose amendments or revocations to bylaws that apply to their local area and to a wider geographic area, where the amendment or revocation applies only to the area of the local board(s) which initiated it.

Auckland Regional Council (916)

Amend Section 27

Recommends that section 27(1) of the Auckland Council Act be amended to enable local boards to propose amendments or revocations to bylaws that apply to their local area and to a wider geographic area, where the amendment or revocation applies only to the area of the local board(s) which initiated it.

Section 27(2) of the Auckland Council Act be amended to enable the Auckland Council to consider a local board's proposal for a new bylaw and to make a decision to accept or reject the proposal, subject to the limitation that the proposal can only be rejected where the bylaw fails to meet certain requirements. There are requirements that it: complies with a statutory requirement; is consistent with strategy, policy, plan or bylaw of
the Council; can be implemented and enforced within the local board's budget; and will not have any significant effect outside the local board's area.

Auckland Regional Council (916)