

EXTRAORDINARY COUNCIL MEETING

SUPPLEMENTARY AGENDA

11 March 2010

ITEM NO: 2A

REPORT



TO Council
ON 11 March 2010
FROM Rory Palmer – General Manager: Strategy
APPROVED BY Warren MacLennan – Assistant Chief Executive
SIGNATURE

A handwritten signature in black ink that reads "Warren MacLennan".

SUBJECT REQUEST FROM NORTHERN ACTION GROUP – LOCAL BILL
FILE REF CG/14/1

PURPOSE OF REPORT:

<input type="checkbox"/> Information only	<input checked="" type="checkbox"/> Strategic decision	<input type="checkbox"/> Policy decision	<input checked="" type="checkbox"/> Statutory process
<input type="checkbox"/> Community issue	<input type="checkbox"/> Contract decision	<input type="checkbox"/> Delegation	<input type="checkbox"/> Appointment
<input type="checkbox"/> Administrative matter			

IMPLICATIONS:

(i)	Is this matter significant in terms of Council's Policy on Significance? Yes
(ii)	Implications in terms of Vision Rodney? Yes
(iii)	Implications in terms of Long Term Council Community Plan / Annual Plan? No
(iv)	Implications in terms of other Council Strategic documents or Council Policy? It is consistent with and addresses current council policy.
(v)	Is a budget amendment required? No

(vi)	Have the views of affected or interested persons been obtained and is any further public consultation required?
	Yes, the views of affected people were obtained when the unitary council option was examined and no further consultation is required at this time.
(vii)	Does a decision on this matter require Auckland Transition Agency approval? (yes / no / advice being sought?)
	No

SUMMARY:

The Northern Action Group (NAG) has informally asked Rodney District Council to either promote, or support Kaipara District Council promoting, a Local Bill to Parliament, with the objective of having the Rodney District Northern Ward remain outside of the Auckland Council's jurisdiction and instead be amalgamated into the Kaipara District.

The current Rodney District Council position on the future status of the district is that the entire district should be a unitary council outside of the Auckland Council's jurisdiction. Staying out of Auckland has been the predominant view in the community.

What the Bill might say is largely up to the Council as it would be the Council's role to promote the Bill.

A number of strengths and weaknesses / risks of the different options are discussed in the report.

RECOMMENDATION:

That the Council determine its position on the matter.

1.0 Background

The Northern Action Group (NAG) has informally requested that the Council promote a Local Bill to remove what is currently the Rodney District Northern Ward from the jurisdiction of the proposed Auckland Council.

Any council may propose local legislation via a Local Bill. It is then the responsibility of a local Member of Parliament to introduce it into Parliament. Parliament must consider the Bill and from that point can decide whether the Bill progresses any further.

Because Parliament is 'sovereign', it can write legislation to override any other impacting legislation, including the current and proposed Auckland governance legislation, i.e. those known as the Tamaki Makaurau Reorganisation Act, the Auckland Council Act and the 3rd Bill.

2.0 Issues

2.1 The current position of Rodney District Council is that the whole district should remain outside the Auckland Council jurisdiction and be constituted as a unitary authority.

2.2 As Kaipara would be an affected local authority under any proposal to amalgamate parts of Rodney District into its jurisdiction, its views would need to be taken into account by Parliament.

2.3 The objectives of the Kaipara District Council (KDC) for any boundary reorganisation appear inconsistent with the NAG proposal. For example, recent media coverage suggests that KDC wants to see the entire Kaipara Harbour contained in and managed by a single local authority. This would mean that a significant part of what is now the Western Ward would also need to be removed from the Auckland Council's jurisdiction.

2.4 There is a risk that Parliament might decide on a compromise where the northern part of the Northern Ward is amalgamated with Kaipara, leaving the area south of a line running, for example, from Cape Rodney to Tauhoa, in the Auckland Council. This would achieve KDC's objective, as stated at the hearing of the 2nd Bill, of keeping out the 'café and vineyard' people in the Omaha and Mahurangi areas.

- 2.5 Removing the current Northern Ward from the proposed 'Rodney (rural) Ward' would reduce the Rodney Ward's population from 53,600 to 32,100. This would increase the disparity in the ratio of electors to councillors between the Rodney Ward and the other Auckland Council Wards and potentially reduce its 'voice' in the Region, which could put at risk the future effectiveness and even the existence of the Rodney Rural Ward.
- 2.6 The current position of the Rodney District Council is to remove the entire district from the Auckland Council's jurisdiction and to constitute it as a unitary authority. This was also the preferred choice of the 1000 people surveyed by Colmar Brunton last year.
- 2.7 When surveyed about the Local Government Commission's proposed ward and local board structure for the new Auckland Council, the majority felt they were acceptable. In the Northern Ward this approval rating was 56%. The question assumed that the Auckland Council with Rodney District within it would proceed.
- 2.8 When the Government proposed splitting off most of the Northern Ward from the Auckland Council's jurisdiction, the Council voiced a preference for all of Rodney District to be out of Auckland as a first preference and did not support a split.

3.0 Options

The Council may wish to either:

- (a) support the Kaipara District Council Local Bill should that eventuate;
- or
- (b) prepare and progress its own Local Bill;
- or
- (c) do nothing.

4.0 Conclusion

The matter is set down for a decision by councillors.