



Local Government Commission
Mana Kāwanatanga ā Rohe

**A guide for the establishment of new governance
arrangements for Auckland:**

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1. Introduction

The Local Government (Auckland Council) Act 2009 sets the requirements for the establishment of new governance arrangements for Auckland. It also sets out particular tasks for the Local Government Commission.

This is a guide to the Local Government Commission's responsibilities. A summary of these responsibilities is presented first followed by our objectives and criteria in more detail. Further information can be found on our website – www.lgc.govt.nz .

2. Summary

The Local Government (Auckland Council) Act 2009 provides for twenty councillors to be elected to the Auckland Council and for twenty to thirty local boards (the Commission will determine the exact number of local boards).

The Act says there will be single member wards to represent the rural area of Rodney District and the area of Franklin District remaining in Auckland. The Act also says there will be local boards for Great Barrier and Waiheke Islands.

The Act has set the northern boundary of Auckland at the northern boundary of Rodney District. The southern boundary is to follow the current Auckland Regional Council boundary as far as practicable excluding the Mangatawhiri River and Mangatangi Stream catchments, and the area between the Mangatangi Stream catchment and the Firth of Thames.

The Local Government Commission is responsible for:

- setting the boundaries and number of councillors to be elected in each ward for the Auckland Council
- establishing the number and boundaries of local boards and their number of members
- determining the exact location of the southern boundary for Auckland.

The Commission is also to determine the arrangements arising from the division of Franklin District between the Auckland and Waikato Regions.

Our objectives

The Commission's decisions will promote good governance of the new City by:

- providing effective and fair representation for communities and residents, and
- establishing a structure which will promote democratic decision-making and the well-being of Auckland.

Our criteria

We will assess all proposals against the following criteria:

- does the proposal comply with the Act?
- does it recognise communities of interest and amalgamate those communities into sensible wards and/or boards?
- will it provide effective representation for communities and residents?
- should individual wards have single members or several members?
- does it take other statutory requirements into account?
- does it promote good governance for Auckland?

We have developed specific criteria for the establishment of the wards, local boards and the southern boundary. The following is a summary of these criteria.

Wards and local boards

Our decisions must comply with the Local Government (Auckland Council) Act. This means:

- there will be 20 councillors
- there may be between 20 and 30 local boards (the Commission has discretion about the final number)
- local boards will have between 4 and 9 members
- ward and board boundaries should coincide (if practicable) and provide effective representation of communities of interests
- fair representation should be provided in accordance with the '+/10% rule' (this will mean councillors represent approximately the same number of people i.e. between 63,000 and 77,000)
- single-member wards based on the rural area of Rodney and the area of Franklin remaining in Auckland
- local boards for Waiheke Island and Great Barrier Island.

Wards and local board areas will join together communities of interest. The identification of individual communities of interest and their relationship with adjoining communities will provide the basis of boundaries of boards and wards. We will determine whether or not a ward should have one councillor or several.

Communities of interest can be identified by examining geographical features, land use and settlement patterns, recreational, employment and schooling patterns, demographic characteristics and history.

We will also assess proposals as to their ability to meet the need for council and non-council services, supporting effective relationships between ward councillors and board members and their communities and residents.

Southern boundary considerations

The Act requires that we determine the final southern boundary. It says we must follow, as closely as practicable, the southern boundary of the Auckland Regional Council. There are two exceptions to that: the Mangatawhiri River and Mangatangi Stream catchments and that part of Franklin District between the Mangatawhiri Stream catchment and the Firth of Thames which must be excluded from Auckland.

3. Our objectives

1. To meet our responsibilities on time for:
 - a. establishing the representation arrangements for the governing body of the Auckland Council so as to provide effective representation for communities of interest of Auckland and fair representation for electors
 - b. establishing the second tier local board governance structure so as to enable effective democratic decision-making and promotion of the social, economic, environmental and cultural well-being of Auckland in the present and for the future
 - c. determining the exact location of the southern boundary for Auckland and consequential reorganisation matters for the division of Franklin District between the Auckland and Waikato regions, so as to promote, as far as is possible within the limits set by the Auckland legislation, good local government of the regions and districts concerned.
2. To carry out a process to achieve *objective 1* that is as transparent and informative as possible and that engages the communities of Auckland to the extent possible within the legislated time constraints.

4. Our criteria

To achieve *objective 1*, the Commission will assess all proposals against some or all of the following criteria:

- statutory compliance
- recognition of communities of interest
- factors relating to effective representation of communities of interest
- factors relating to the merits of single- versus multi-member wards
- recognition of other statutory and good governance considerations.

(a) Determination on wards

1. Statutory compliance with:
 - a. the Local Government (Auckland Council) Act 2009:
 - i. wards to elect 20 councillors
 - ii. so far as is practicable, the boundaries of wards provide effective representation of communities of interest in Auckland
 - iii. so far as is practicable, the boundaries of wards coincide with the boundaries of one or more local boards
 - iv. the boundaries of wards coincide with boundaries of meshblock areas
 - v. so far as is practicable, the boundaries of wards and the number of councillors for each ward provide fair representation for the electors of each ward (i.e. the population of each ward divided by the number of councillors is within +/-10% of the population of Auckland divided by the 20 councillors - referred to as the '+/-10% rule'¹)
 - vi. if the Commission considers that effective representation of communities of interest so requires, wards may be defined and membership distributed between them in a way that does not comply with the requirements of v. above.
 - vii. constitution of a single-member ward based on the rural area of Rodney (which is to be defined by the Commission)
 - viii. constitution of a single-member ward based on the area of Franklin remaining in Auckland.
2. Recognition of communities of interest:
 - a. a sense of identity with or belonging to a community including consideration of:
 - i. geographical features (e.g. hills, rivers, landforms)
 - ii. other features which are seen to form barriers between areas (e.g. arterial roads)
 - iii. particular landmarks (e.g. significant buildings)
 - iv. land use and settlement patterns including: urban and rural land use, residential and commercial use, particular growth or development areas, other particular uses (e.g. DoC land)

¹ On the basis of a total regional population of 1.4 million people, this requires representation per councillor of between 63,000 and 77,000.

- v. demographic characteristics including: socio-economic, ethnic and age characteristics of the local population
 - vi. shared values tying a community together or commonly referred to characteristics associated with an area based on, for example, history, local culture, an articulated 'community vision', or the ways in which local residents articulate a sense of identity and/or emotional connection associated with 'their place'
- b. ability to meet the need for (council and non-council) services including:
- i. catchments of council-provided services including: parks and reserves, community and recreational facilities such as libraries, swimming pools, community centres, council service centres, civil defence/emergency management centres, Citizens Advice Bureaux
 - ii. infrastructure networks including: roads and the 'three waters'
 - iii. public transport networks
 - iv. non-council provided services and social focal points including: shopping centres ('village hubs' rather than large regional malls), schools, places of worship and religious congregation, health centres, marae and other Māori and ethnic services, non-council recreational and sporting facilities and services
 - v. significant centres/locations of employment
- c. political arrangements for representing and reconciling interests including:
- i. existing community and local government boundaries such as networks of resident/ratepayer associations, community board areas, territorial authority wards, regional council constituencies, local authority boundaries
 - ii. central agency jurisdictions such as public health organisations and DHBs, Police districts, Work and Income offices
 - iii. iwi/hapū interests
 - iv. parliamentary electorates.
3. Factors for consideration of what constitutes effective representation of communities of interest:

- a. avoiding arrangements that may create barriers to participation, such as in voting at elections, by not recognising residents' familiarity and identity with an area
 - b. not splitting communities of interest between wards
 - c. not grouping together two or more communities of interest that share few commonalities of interest
 - d. accessibility, size and configuration of an area including:
 - i. would the population have reasonable access to its councillors and vice versa?
 - ii. would councillors be able to effectively represent the views of their ward?
 - iii. would councillors be able to attend public meetings throughout the ward, and provide reasonable opportunities for face-to-face meetings?
4. Factors for consideration in determining the establishment of single-member and multi-member wards:
- a. arguments in favour of multi-member wards include:
 - i. electors have a greater choice of candidates
 - ii. the larger the ward/the larger the number of positions, the more likely there is to be diverse representation of minority groups
 - iii. the larger the ward the more likely electors feel they have a greater say in the running of the city
 - iv. the larger the ward the easier it is for councillors to act in the interests of the city as a whole
 - v. electors have a greater choice of councillors they can approach following the election
 - vi. more councillors in a ward allows them to cooperate, share workloads and specialise in areas of interest and expertise
 - b. arguments in favour of single-member wards include:
 - i. fewer positions/candidates may have a positive impact on voter turnout
 - ii. single-member wards are likely to enhance representation of small distinct/isolated areas compared to being part of a larger ward
 - iii. single-member wards may reduce time and resource costs of campaigning for candidates
 - iv. single-member wards may encourage electors to be better informed on candidates and their policies due to fewer candidates and them being likely to be better known

(b) Determination on local boards

1. Statutory compliance with:
 - a. the Local Government (Auckland Council) Act 2009:
 - i. no fewer than 20 nor more than 30 local boards unless the Commission considers that effective representation of communities of interest requires a different number of boards
 - ii. electoral subdivisions for board areas if necessary
 - iii. no fewer than 4 nor more than 9 members
 - iv. so far as is practicable, the boundaries of local boards, and any electoral subdivisions, and the number of members to be elected, provide effective representation of communities of interest within Auckland
 - v. the subdivision of any local board area provides fair representation for the electors of the board area (i.e. the '+/-10% rule' applies unless the Commission considers that effective representation of communities of interest requires that it not apply)
 - vi. boundaries of local board areas and any electoral subdivisions coincide with the boundaries of statistical meshblock areas
 - vii. so far as is practicable, local board boundaries coincide with ward boundaries
 - viii. a local board is constituted for the Waiheke Island community
 - ix. a local board is constituted for the Great Barrier Island community.
2. Recognition of communities of interest:
 - a. a sense of identity with or belonging to a community including consideration of:
 - i. geographical features (e.g. hills, rivers, landforms)
 - ii. other features which are seen to form barriers between areas (e.g. arterial roads)
 - iii. particular landmarks (e.g. significant buildings and monuments)
 - iv. land use and settlement patterns including: urban and rural land use, residential and commercial use, particular growth or development areas, other particular uses (e.g. DoC land)

- v. demographic characteristics including: socio-economic, ethnic and age characteristics of the local population
 - vi. shared values tying a community together or commonly referred to characteristics associated with an area based on, for example, history, local culture, an articulated 'community vision', or the ways in which local residents articulate a sense of identity and/or emotional connection associated with 'their place'
- b. ability to meet the need for (council and non-council) services including:
- i. catchments of council-provided services including: parks and reserves, community and recreational facilities such as libraries, swimming pools, community centres, council service centres, civil defence/emergency management centres, Citizens Advice Bureaux
 - ii. infrastructure networks including: roads and the 'three waters'
 - iii. public transport networks
 - iv. non-council provided services and social focal points including: shopping centres ('village hubs' rather than large regional malls), schools, places of worship and religious congregation, health centres, marae and other Māori and ethnic services, non-council recreational and sporting facilities and services
 - v. significant centres/locations of employment
- c. political arrangements for representing and reconciling interests including:
- i. existing community and local government boundaries such as networks of resident/ratepayer associations, community board areas, territorial authority wards, regional council constituencies, local authority boundaries
 - ii. central agency jurisdictions such as public health organisations and DHBs, Police districts, Work and Income offices
 - iii. iwi/hapū interests
 - iv. parliamentary electorates.

3. Recognition of other statutory and good governance (in italics) considerations:
- a. the purpose of local boards of:
 - i. enabling democratic decision-making by, and on behalf of, communities within the local board area:
 - *boards that communities of interest can identify with and relate to*
 - *boards that attract sufficient numbers and quality of candidates to stand for election and carry out effective decision-making*
 - ii. better enabling the promotion of the social, economic, environmental, and cultural well-being of communities within the board area in the present and for the future
 - *boards that have jurisdiction over areas and populations that enable effective decision-making on present and future community well-being*
 - b. the requirement for decision-making to be shared between the governing body (Auckland Council) and local boards:
 - *a total number of local boards that the Auckland Council can relate to in an efficient and effective manner (e.g. requirement for agreements with each local board, level of officer support)*
 - c. the functions, duties and powers of local boards:
 - i. non-regulatory activities allocated to the board:
 - *boards that have jurisdiction over areas that contain specific local facilities and amenities*
 - ii. identifying and communicating the interests and preferences of the people in the board area:
 - *boards that have jurisdiction over areas and populations that reflect actual communities of interest*
 - iii. identifying and proposing bylaws specifically for the board area:
 - *boards that have jurisdiction over areas that are physically distinct so as to facilitate efficient and effective management and avoid 'spill over' effects in neighbouring board areas*

- iv. local activities agreed with the Auckland Council:
 - *boards that have jurisdiction over areas and populations that contain specific local facilities and amenities and reflect actual communities of interest.*
- d. the relationship between local boards and wards including in terms of boundaries:
 - *a relationship that is clear and understandable for residents*
 - *a clear and understandable relationship between local boards and local ward councillors*

(c) Determination on southern boundary and consequential reorganisation of Franklin District

1. Statutory compliance with:
 - a. the Local Government (Auckland Council) Act 2009:
 - i. follows the existing regional boundary as closely as practicable with two prescribed exceptions (i.e. exclusion of the Mangatawhiri River and Mangatangi Stream catchments, and the area between the Mangatangi Stream catchment and the Firth of Thames)
 - ii. the Commission is satisfied the determination will maximise, in a cost effective manner, the current and future well-being of the local authorities and communities concerned, and have regard to:
 - the area of impact of the responsibilities, duties and powers of the local authorities
 - the area of benefit of services provided
 - any other matters it considers appropriate²
 - b. the Local Government Act 2002:
 - i. the provisions relating to the promotion of good local government of the area except where these provisions are inconsistent with the Local Government (Auckland Council) Act 2009 which will prevail
2. Recognition of distinct community/communities of interest:
 - a. a sense of identity with or belonging to a community including consideration of:
 - i. geographical features (e.g. hills, rivers, landforms)
 - ii. other features which are seen to form barriers between areas (e.g. arterial roads)
 - iii. particular landmarks (e.g. significant buildings and monuments)
 - iv. land use and settlement patterns including: urban and rural land use, residential and commercial use, particular growth or development areas, other particular uses (e.g. DoC land)

² Clause 2 of the Schedule to the Local Government (Auckland Council) Act 2009 sets out the matters the determination may deal with in relation to the reorganisation of the Franklin District Council including the apportionment and transfer of assets and liabilities, the transfer of the provision of services, the transfer of employees, the transfer of a statutory obligation, the transfer of a function, duty or power, the division of the region/district into wards or constituencies.

- v. demographic characteristics including: socio-economic, ethnic and age characteristics of the local population
 - vi. shared values tying a community together or commonly referred to characteristics associated with an area based on, for example, history, local culture, an articulated 'community vision', or the ways in which local residents articulate a sense of identity and/or emotional connection associated with 'their place'.
- b. ability to meet the need for (council and non-council) services including:
- i. catchments of council-provided services including: parks and reserves, community and recreational facilities such as libraries, swimming pools, community centres, council service centres, civil defence/emergency management centres, Citizens Advice Bureaux
 - ii. infrastructure networks including: roads and the 'three waters'
 - iii. public transport networks
 - iv. non-council provided services and social focal points including: shopping centres ('village hubs' rather than large regional malls), schools, places of worship and religious congregation, health centres, marae and other Māori and ethnic services, non-council recreational and sporting facilities and services
 - v. significant centres/locations of employment
- c. political arrangements for representing and reconciling interests including:
- i. existing community and local government boundaries such as networks of resident/ratepayer associations, community board areas, territorial authority wards, regional council constituencies, local authority boundaries
 - ii. central agency jurisdictions such as public health organisations and DHBs, Police districts, Work and Income offices
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