

Notice of Motion

Submitted on 5 April 2019

Attention: Eric Perry, Relationship Manager, Local Board Services

In accordance with Standing Order 2.5.1, we hereby give notice that we would like to move the following motion at the 17 April 2019 meeting of the Kaipātiki Local Board:

Recommendation:

That the Kaipātiki Local Board:

- a) request that Auckland Transport consider delegating the required responsibilities, duties, functions, and powers to allow
 - i. landowner approval,
 - ii. prioritisation of proposed projects, and
 - iii. approval of related budgets

to the respective local board, where they affect roads or assets in the local street network, noting that this is allowed for under section 45 “Delegations” of the Local Government (Auckland Council) Act 2009, in particular clauses (1) and (8).

- b) request that where any required responsibilities, duties, functions, or powers to give effect to (a) are determined to be contrary to the Local Government (Auckland Council) Act 2009 or any other legislation, that an equivalent process is found (such as Auckland Transport formally adopting local board resolutions).
- c) note that local boards currently have the equivalent delegation as outlined in (a) in regards to assets, projects and land administered by the Community Facilities department of Auckland Council, and this may be a suitable model for Auckland Transport to consider adopting.
- d) request that this Notice of Motion and resolution are circulated to all local boards for their information and consideration.

Background:

According to section 10 of the *Local Government (Auckland Council) Act 2009*, the purpose of local boards is to enable decision-making by and on behalf of local communities:

10 Local boards

A local board must be established for each local board area for the purposes of—

- (a) enabling democratic decision making by, and on behalf of, communities within the local board area; and
- (b) better enabling the purpose of local government to be given effect to within the local board area.

Section 10(b) replaced, on 5 December 2012, by section 43 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

However local boards are currently excluded from any decision-making related to Auckland's roading network, public transport network, and road corridor infrastructure located within the respective local board area. Despite the large sums of public money being spent in this sector, local boards are often only asked for informal feedback on transport or roading proposals, which undermines the purpose of local boards, prevents local governance, disenfranchises the local community, and denies electoral accountability.

In the above recommended motion, we are proposing a way to redress the lack of democratic accountability and local governance through a mechanism that currently exists within legislation. In section 54 of the *Local Government (Auckland Council) Act 2009* (reproduced in attachment A), Auckland Transport may delegate (within specified limits) "any of its responsibilities, duties, functions, and powers" to "1 or more local boards".

We believe that as a publicly-owned and publicly-funded body that is part of a democratic city entity, that this is something that Auckland Transport is duty-bound to seriously consider and through this proposal, we are requesting it to do so.

Signatures:

Mover:	Seconder:
 <p data-bbox="193 1350 327 1379">John Gillon</p>	 <p data-bbox="823 1357 994 1386">Danielle Grant</p>
 <p data-bbox="193 1597 338 1626">Adrian Tyler</p>	 <p data-bbox="820 1603 1061 1632">Anne-Elise Smithson</p>
 <p data-bbox="193 1843 331 1872">Paula Gillon</p>	