# Puketāpapa Local Board

## OPEN MINUTE ITEM ATTACHMENTS

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**Note:** The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Road Naming Guidelines

PLEASE NOTE: Local Boards have been allocated responsibility for road naming by the Auckland Council Governing Body. Variations to these guidelines may occur between Local Boards.

Introduction

This document is the [xxxx] Local Boards’ guidelines and procedures on the naming and renaming of roads within their Local Board boundaries.

Local boards have been allocated decision making responsibility for the naming of roads pursuant to section 319(1)(j) of the Local Government Act 1974.

Purpose

This document will provide direction to staff, the local board, mana whenua and the community on the procedures for naming and renaming roads in Auckland, and encourage those names that are reflective of the history, culture, and identity of an area.

Objectives

- Consideration and decision making will occur in a consistent, transparent and impartial manner across Auckland.
- Names will be conducive from a safety and service perspective by ensuring that road names chosen are appropriate in order to prevent potential confusion or mistakes for users, including commercial and emergency services.
- Names will reflect the environmental, historical, cultural and existing thematic identity of an area, recognising the unique characteristics of a community.
- Ancestral linkages to areas of land by mana whenua will be recognised through consultation with mana whenua and the allocation of road names as appropriate.

Definitions

Road: means a road as defined in section 315 of the Local Government Act 1974.

Name (in reference to a road): means the word or name used to identify the road but excludes the road type (e.g. Crescent, Place, Street etc).

Private roads and private ways are defined in section 315(1) Local Government Act 1974 (e.g. right-of-ways, common access lots).
Principles for naming roads

The following general principles for the naming of roads conform to the AS/NZS 4819: 2011 Rural and Urban Addressing (Australian/New Zealand Standard). They are designed to ensure that naming practices in Auckland will be of the highest possible standard and will result in intuitively clear road names for all, minimising confusion and errors.

All formed roads accessing six or more address sites, including private roads (roads for which the care and maintenance is not the responsibility of the council) and roads that are generally open to the public or to services shall be named in accordance with these principles.

Principle 1: Road Extents and Road Types will be clearly defined

1. The extent of a named road shall be defined by the formed road, and shall include only one section of road navigable by vehicles or foot. Unconnected navigable sections (for example where separated by an unbridged stream or physical barrier) shall be assigned separate names.

2. All road names must include a road type; unless reserving a road name, in which case the type might not yet be known.

3. The road type should be one that accurately reflects the type or roadway being named. A list of road types is included in Appendix 1.

Principle 2: Road names will promote public safety and service delivery

4. Road names must not risk public and operational safety for emergency responses, or cause confusion for transport, communication and mail services.

5. Many emergency responses (such as ambulance, police and fire) and other public services (such as mail) are impacted by the clarity of road names and their extents, and all road name proposals must ensure that operations will not be adversely affected.

Principle 3: Road names will reflect the heritage of an area

6. Mana whenua, early settlers, war servicemen and women and other persons who have contributed to the heritage of an area, local history themes, flora, fauna etc are examples of generally suitable types of road names.

7. Collaboration between mana whenua, local interest groups, developers and/or individuals is encouraged to develop new names according to these suggestions.

8. Naming often commemorates an event, person or place. The names of people who are still alive should be avoided as community attitudes and opinions can change over time.

9. Applicants must make every effort to gain consent from family members of the person being commemorated. Supporting evidence that shows attempts by

Auckland Council Road Naming Guidelines – April 2015
applicants to consult with family members should be provided during lodgement of
the proposal.

Principle 4: The use of Māori road names is actively encouraged

10. Tāmaki Makaurau, Auckland has a rich history that is reflected throughout the region. Names often reflect significant events, people, and local landscapes and biodiversity. In turn this creates and consolidates a sense of place and identity. Actively encouraging the use of Māori road names supports the Auckland Plan outcome of “a Māori identity that is Auckland’s point of difference in the world” and contributes to the visibility of Auckland’s extensive and rich Māori history.

Road Naming Criteria

11. A road name must only use characters from a standard alphabet, although macrons are permitted for a Māori name.

12. Where the location of a proposed road name has been identified as of significance to mana whenua, consultation with identified mana whenua must occur to ensure appropriateness and spelling of the road name.

13. Road names should be easy to pronounce, spell and write, and preferably not exceed three words (including road type) or 25 characters. An exception to this is the use of Te Reo Māori names when it is accepted that a traditional name may at first appear to be complex, but will, over time, become more familiar and accepted by the community.

14. Where there is an existing similar/same road name within Auckland Council’s boundary or an adjoining territorial authority’s boundary, a new road name must not be:

(a) the same as an existing road name
(b) similar in spelling to an existing road name; or
(c) similar in sound to an existing road name

15. Road types do not distinguish different roads of the same or similar sounding names (e.g. Smith Road, Smith Street, Smith Crescent)

16. The following punctuation shall not be used as part of a road name: fullstop (.), comma (,), colon (:), semi-colon (;), quotation marks (“”), exclamation mark (!), question mark (?), ellipsis (...), hyphen/dash (-), slash (/) and parenthesis (()). For surnames or other names that include a hyphen, the hyphen shall be omitted when used for a road name.

17. A road name should not be abbreviated or contain an abbreviation, initial or acronym, excepting that “St” can be used for “Saint”.

18. “The” should not be used as the sole name element of a road name (e.g. The Avenue).

19. A road name should not include a preposition (e.g. Avenue of the Allies).

20. Road names should not include an apostrophe unless part of a person’s name (e.g. O’Connor Drive).
21. For the purposes of consistency, names starting with Mc or Mac shall not have a space included between the Mc or Mac and the rest of the road name.

22. A road name shall have the same spelling as any name from which it is derived.

23. Where numbers occur in a road name they must be in full form (e.g. Fifth Avenue, Nine Mile Road).

24. A road name shall not include initials (e.g. J Jones Road is not acceptable).

25. A road name must not be considered offensive, racist, derogatory, or demeaning (including when translated into another language).

26. A road name must not be commercially based, unless they are no longer in use and reflect the heritage of an area.

27. Road names shall not be misspelt. In particular, the spelling of personal names shall be able to be validated by reference to primary sources.

28. Road types shall not be used in the formation of a road name, for example Promenade Road, Court Street.

29. The use of given or first names in conjunction with a surname is not normally acceptable, but may be considered if required to provide uniqueness for a significant name e.g. Kate Shepherd Drive.

30. A road name should not include qualifying terminology, a cardinal indicator or similar prefix (e.g. Upper, New, East West) unless the road name is derived from a name which includes such a qualifying terminology, a cardinal indicator or similar prefix.

31. A directional word cannot be used to uniquely define a roads extremities e.g. Boundary Road East, Boundary Road West.

32. Origin to destination names shall not be used so as to not confuse eg Pukekohe-Weiaku Road.

33. Short roads with five or less address sites need not be named if the address sites within the road can be assigned numbers within the adjoining roads. Short roads that are named shall preferably have a short name.

Procedures

Procedure 1: Naming of new roads

Note: A Local Board may seek a meeting with mana whenua in the case of a large scale development to determine appropriate te reo names for the development as part of the subdivision release process.

34. Applications for new road names/re-naming of roads must be submitted to Auckland Council Consents team.

35. The application must include:
   - reason for requesting the road to be named

Auckland Council Road Naming Guidelines – April 2015
- clear definition of the extent and location of the proposed road to be named (e.g. annotated scheme plan)
- evidence of input/evidence of providing reasonable opportunity for mana whenua to submit road name suggestions, where the road falls within an area of significance to mana whenua;
- one preferred name and two alternative names for each road being named
- rationale/meaning for the proposed name(s)

36. Consents team will assess the suggested name(s) to ensure that general principles for selecting a name have been considered and applied.

37. Consents teams will prepare road naming reports and submit to Local Boards for decision making. The report will include suggested names from all interested parties, the rationale for these suggestions, outcome of assessment against the road naming criteria and provide recommended names for consideration for approval.

38. The Local Board will approve a road name for a particular road. The Local Board decision is final.

Procedure 2: Renaming an existing road

39. Road names are intended to be enduring, and the renaming of roads is discouraged unless there are compelling reasons for a change. Issues that can prompt renaming include the redesign of a road, changed traffic flow, mail or service delivery problems, duplication issues and addressing problems.

40. Where community members suggest the renaming of a road, the rationale and evidence that the majority of residents on the affected road support a rename must be submitted to the Auckland Council consents team.

41. Where emergency services request the renaming of a road, the rationale must be submitted to Auckland Council consents team.

42. The consents team will assess the rationale for the renaming of a road and prepare and submit a report to the relevant local board to decide whether the reasoning for change is compelling.

43. If the Local Board is decides against a rename, the applicant will be informed. The Local Boards’ decision is final.

44. If the Local Board supports a renaming the selection of a name will be the same process as for the naming of a new road (i.e. Procedure 1)

Procedure 3: Notification to submitters and authorities

45. All applicants will be notified as to the road name that has been decided.

46. Council will also inform Land Information New Zealand of the new name. This organisation includes the Register General of Land and Surveyor-General. Informing these statutory officers is a requirement of s.319A of the Local Government Act 1974. It is noted that New Zealand Post, the Electoral Office and the Emergency Services source their address data either directly or indirectly from Land Information New Zealand.

_Auckland Council Road Naming Guidelines – April 2015_
Procedure 4: Entry into global database

47. The new road name will be entered into the global database detailing the following:

- Road Name
- Road Type
- Status
- Extent
- Locality
- Local Board Area
- Mana whenua Area
- Etymology/significance
Appendix 1 – Road Types

The road types shall be selected from those suitable as either open ended roads, cul-de-sac or pedestrian only roads, as applicable

<table>
<thead>
<tr>
<th>Road Type</th>
<th>Abbreviation</th>
<th>Description</th>
<th>Open Ended</th>
<th>Cul-de-sac</th>
<th>Pedestrian Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alley</td>
<td>Ally</td>
<td>Usually narrow roadway in cities or towns</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Arcade</td>
<td>Arc</td>
<td>Covered walkway with shops along the side</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Avenue</td>
<td>Av</td>
<td>Broad roadway, usually planted on each side with trees</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boulevard</td>
<td>Bvd</td>
<td>Wide roadway, well paved, usually ornamented with trees and grass plots</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Circle</td>
<td>Cir</td>
<td>Roadway generally forms a circle, or a short enclosed roadway bounded by a circle</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Close</td>
<td>Cl</td>
<td>Short, enclosed roadway</td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Court</td>
<td>Ct</td>
<td>Short, enclosed roadway</td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Crescent</td>
<td>Cr</td>
<td>Crescent shaped thoroughfare, especially where both ends join the same thoroughfare</td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Drive</td>
<td>Dr</td>
<td>Wide main roadway without many cross-streets</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Esplanade</td>
<td>Esp</td>
<td>Level roadway, often along the seaside, lake or a river</td>
<td></td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Glade</td>
<td>Glide</td>
<td>Roadway usually in a valley of trees</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Green</td>
<td>Grn</td>
<td>Roadway often leading to a grassed public recreation area</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Grove</td>
<td>Gr</td>
<td>Roadway that features a group of trees standing together</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Highway</td>
<td>Hwy</td>
<td>Main road or thoroughfare, a main route</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lane</td>
<td>Lane</td>
<td>Narrow roadway between walls, buildings or a narrow country roadway</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Loop</td>
<td>Loop</td>
<td>Roadway that diverges from and rejoins the main thoroughfare</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mall</td>
<td>Mall</td>
<td>Wide walkway, usually with shops along the sides</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Mews</td>
<td>Mews</td>
<td>Roadway in a group of houses</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Parade</td>
<td>Pde</td>
<td>Public promenade or roadway that has good pedestrian facilities along</td>
<td></td>
<td></td>
<td>Y</td>
</tr>
</tbody>
</table>

Auckland Council Road Naming Guidelines – April 2015
<table>
<thead>
<tr>
<th>Road Type</th>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place</td>
<td>Pl</td>
<td>Short, sometimes narrow, enclosed roadway</td>
</tr>
<tr>
<td>Promenade</td>
<td>Prom</td>
<td>Wide, flat walkway, usually along the water’s edge</td>
</tr>
<tr>
<td>Quay</td>
<td>Qy</td>
<td>Roadway alongside or projecting into water</td>
</tr>
<tr>
<td>Rise</td>
<td>Rise</td>
<td>Roadway going to a higher place or position</td>
</tr>
<tr>
<td>Road</td>
<td>Rd</td>
<td>Open roadway primarily for vehicles</td>
</tr>
<tr>
<td>Square</td>
<td>Sq</td>
<td>Roadway which generally forms a square shape, or an area of roadway bounded by four sides.</td>
</tr>
<tr>
<td>Steps</td>
<td>Stps</td>
<td>Walkway consisting mainly of steps</td>
</tr>
<tr>
<td>Street</td>
<td>St</td>
<td>Public roadway in an urban area, especially where paved and with footpaths and buildings along one or both sides.</td>
</tr>
<tr>
<td>Terrace</td>
<td>Tce</td>
<td>Roadway on a hilly area that is mainly flat</td>
</tr>
<tr>
<td>Track</td>
<td>Trk</td>
<td>Walkway in natural setting</td>
</tr>
<tr>
<td>Walk</td>
<td>Walk</td>
<td>Thoroughfare for pedestrians</td>
</tr>
<tr>
<td>Way</td>
<td>Way</td>
<td>Short enclosed roadway</td>
</tr>
<tr>
<td>Wharf</td>
<td>Whrf</td>
<td>A roadway on a wharf or pier</td>
</tr>
</tbody>
</table>

* Auckland Council Road Naming Guidelines – April 2015
Submission to the Department of Conservation

In the matter of the proposal on the revocation of certain delegations to territorial authorities under the Reserves Act 1977

Auckland Council, (X) May – 2019
Mihimihi

Ka mihia koe ai ki ngā maunga here kōrero,
iki ngā pari whakarongo tahi,
ki ngā awa tuku kiri o āna manawhenua,
āna mana ā-iwi taketake mai, tauwi atu.
Tāmaki – makau a te rau, murau a te tini, wenerau
a te mano.
Kāhore tō rito i te ao.

I greet the mountains, repository of all that has been
said of this place,
there I greet the cliffs that have heard the ebb and
flow of the tides of time,
and the rivers that cleansed the forebears of all who
came those born of this land
and the newcomers among us all.
Auckland – beloved of hundreds, famed among the
multitude, envy of thousands.
You are unique in the world.
Ko te tāpae tanga o te Kaunihera o Tamaki Makaurau

Auckland Council Submission (X) May 2019

Taitara/ Title: Submission on the revocation of certain delegations to Territorial Authorities under the Reserves Act 1977

Submission to the Department of Conservation.

1. This submission is from Auckland Council (the council) and has been approved by the Environment and Community Committee.

Key Points

2. The council does not support the proposal to revoke 44 of the 50 Ministerial powers within the Reserves Act 1977, delegated to local authorities. The reasons for this are outlined below:

3. Substantive justification for the proposed revocation of delegations has not been proved, and cannot be supported by Auckland Council. The council recommends that the Minister be advised that:
   - the Court of Appeal did not make a decision on the lawfulness of the Ministerial delegations to local authorities under the Reserves Act 1977
   - the Opua decision has been appealed to the Supreme Court
   - the leading court decision on Ministerial delegations to local authorities under the Reserves Act 1977 is the 2004 High Court decision of Gibbs v New Plymouth District Council CIV 2004-443-115
   - there is no justification to change the current Ministerial delegation as the leading court decision supports Ministerial delegations to local authorities under the Reserves Act 1977 as lawful.

4. A clear identification of the problems exercising dual delegations by councils under the Act is lacking and undermines local decision-making and community outcomes. The council recommends that the Minister be advised that:
   - Auckland Council, like other local authorities is very capable and experienced at differentiating and making decisions under the Act as both the administering body and under Ministerial delegation
   - Auckland Council has in the exercise of delegation fulfilled the supervisory intent of the Ministerial powers, to ensure compliance with the requirements of the Act
   - it would be a backwards step to undo decision-making at the local level for local communities. It will cause delay in delivering a range of health, wellbeing and social outcomes under the Auckland Plan for our communities
   - Auckland Council has robust processes and systems to appropriately manage potential or actual conflicts of interest when exercising dual decision-making, including having regard to the Reserves Act Guide 2004. This mitigates the risk raised by the judicial comments in the Opua decision
the most appropriate place to identify concerns and responses to specific practice by
council when exercising dual decision-making (administering body and under Ministerial
delegation) under the Act is through an update of the Reserves Act Guide 2004. A review
that we note has been pending for several years.

5. Delays in Ministerial decision-making would be inevitable and would be at the expense of local
communities. The council recommend that the Minister be advised that:

- revoking Ministerial delegations will add significant delays to all Reserves Act 1977
  processes

- Auckland Council’s ability to be responsive to communities and the changing needs of
customers will be severely impacted. This could lead to a decline in trust and confidence.

Ngā koringa ā-muri/Next Steps

6. Auckland Council is available to discuss and provide its view to the Minister of Conservation
before a decision is made. This is essential given the number of reserves held under Reserves
Act 1977 in Tamaki Makaurau and the number of New Zealanders we serve.

7. We also strongly urge the Minister to talk to a range of local authorities, including Local
Government New Zealand, before making a decision.

Horopakī/Context

8. This submission responds to correspondence from the Department of Conservation (the
Department) to all Chief Executives of Territorial Authorities dated 14 March 2019.

9. The Department requested feedback on a proposal to revoke Ministerial powers under the
Reserves Act 1977 (the Act) currently delegated to councils. It proposes to revoke 44 of the 50
Ministerial powers currently delegated to local authorities.

10. The Department also requested that territorial authorities identify any new delegation
proposals that would improve efficiencies.

Tunga whānui/Overall Position

Substantive justification for the proposed revocation of delegations has not been proved, and
cannot be supported by Auckland Council

11. The council does not support the proposal to revoke 44 of the 50 Ministerial powers,
delegated to territorial authorities under the Reserves Act 1977.

12. The Department has provided no substantive justification for the proposal.

13. The Department is seeking to justify changes to Ministerial delegations based solely on
comments made by the Court of Appeal in its decision of Opua Coastal Preservation Inc v Far
North District Council [2018] NZCA 262. The Department has expressed a view of the case
that:

- some of the existing Ministerial powers delegated to a council could be potentially
  unlawful
• councils could have a conflict of interest when they make a decision and then use the
deleagted Ministerial powers
• the requirements for the Minister to consult with the council, may mean that council
consulls with itself, which is potentially another conflict of interest.

14. We are concerned that the Department is seeking to take action in response to the Opua
decision, yet the court did not reach a conclusion on the lawfulness of the dual decision-
making process in this case. The Department, in undertaking this review, expressly
acknowledges that the Court may have decided about the legality of the delegation of
Ministerial powers had the Court considered it.

15. Auckland Council respectfully submits that the Department is erring in its advice to the
Minister of Conservation regarding the voracity of the comments made by the Court of
Appeal.

16. The Opua decision has been appealed to the Supreme Court, which could make any changes
premature.

The Department has overlooked case law on the lawfulness of Ministerial delegations

17. The leading decision on Ministerial delegations to local authorities under the Act, is the 2004

18. This decision supports the Ministerial delegations to local authorities as lawful.

19. The council argues that this legal case should be relied on, rather than judicial comments on a
case under appeal to the Supreme Court.

20. We recommend that the Minister be advised that:
• the Court of Appeal did not make a decision on the lawfulness of the Ministerial
delegations to local authorities under the Reserves Act 1977
• the Opua decision has been appealed to the Supreme Court
• the leading court decision on Ministerial delegations to local authorities under the
Reserves Act 1977 is the 2004 High Court decision of Gibbs v New Plymouth District
Council CIV 2004-443-115
• there is no justification to change the current Ministerial delegation as the leading court
decision supports Ministerial delegations to local authorities under the Reserves Act 1977
as lawful.

A clear identification of the problems exercising dual delegations by councils under the Act is
lacking and undermines local decision-making and community outcomes

21. Delegation of Ministerial powers to local authorities under the Reserves Act 1977 have taken
place since 1999. This was intended to deliver three primary outcomes:
• devolution of a high level of decision-making to local authorities
• greater flexibility in the approach to reserves management
• standardisation and updating of process and terminology.
22. Further delegation of the Ministerial powers to local authorities in 2013 sought to allow for improved decision-making at a local level. It also recognised that the Ministerial powers were supervisory to ensure compliance with the requirements of the Act.

23. The council does not support any proposal that will undermine the primary outcomes sought from improved delegation under the Act. It would be a backwards step to unwind decision-making at the local level and to disempower local communities. There is also a risk that the proposed changes will reduce our ability to deliver a range of health, wellbeing and social outcomes under the Auckland Plan for our communities.

_Auckland Council has experience and clear systems and processes to exercise its responsibilities and delegations under the Act_

24. There is no clear and compelling problem definition to support the Department’s proposal. No evidence has been provided by the Department to illustrate unlawful or persistent problems by local authorities exercising dual decision-making under the Act. No evidence has also been provided about local authorities being unable to recognise and manage potential or actual conflict of interest in dual decision-making.

25. The council has more than 20-years’ experience exercising its responsibilities and delegations under the Act. We have invested in clear systems and processes to discharge our functions under the Act and to lawfully use Ministerial delegations.

26. Auckland Council, like other local authorities, is very capable of differentiating and making dual decisions under the Act as both the administering body and under Ministerial delegation.

27. The council has exercised these Ministerial delegations lawfully and responsibly in service to local communities. We have fulfilled the supervisory intent of the delegated Ministerial powers, to ensure compliance with the requirements of the Act.

28. Elected members across Auckland Council are experienced at making decisions in an independent and objective manner. This includes making many separate decisions with different legal requirements and acting in different statutory roles. This is business as usual for local authority decision-makers.

29. Auckland Council as a unitary authority frequently balances both territorial and regional responsibilities and the inherent conflicts of interest that some of these responsibilities pose. The dual governance structure made up of the Governing Body: Mayor and 20 councillors; and 21 local boards also provides an additional layer of challenge and scrutiny in decision-making.

30. Elected officials are supported in their decision-making capacity with formal training and staff advice.

31. We have processes and systems to manage any actual and potential conflicts of interest, particularly for dual decision-making situations: as an administering body, under Ministerial delegation, in quasi-judicial circumstances and as a territorial authority with regional council oversight.

32. These dual roles are frequently implemented for the same proposal. Key examples include landowner and resource consent approval; asset-owner, service provider and environmental compliance, monitoring and enforcement.
33. The council considers that the many processes, systems and practices we have in place allow legally robust dual decision-making while managing any potential or actual conflict of interest. This mitigates the risk raised by the judicial comments in the Opua decision.

34. We are also guided by the Reserves Act Guide 2004 and through sharing and debating practice with other local authorities and officials from the Department.

35. The council recommends that the Minister be advised that:
   - Auckland Council, like other local authorities is very capable and experienced at differentiating and making decisions under the Act as both the administering body and under Ministerial delegation
   - Auckland Council has in the exercise of delegation fulfilled the supervisory intent of the Ministerial powers, to ensure compliance with the requirements of the Act
   - it would be a backwards step to undo decision-making at the local level for local communities. It will cause delay in delivering a range of health, wellbeing and social outcomes under the Auckland Plan for our communities
   - Auckland Council has robust processes and systems to appropriately manage potential or actual conflicts of interest when exercising dual decision-making, including having regard to the Reserves Act Guide 2004. This mitigates the risk raised by the judicial comments in the Opua decision
   - the most appropriate place to identify concerns and responses to specific practice by council when exercising dual decision-making (administering body and under Ministerial delegation) under the Act is through an update of the Reserves Act Guide 2004. A review that we note has been pending for several years.

Ngā whakaaweawe a Kaunihera/Impacts on council

36. The following section outlines the impact the revocation of delegations under the Reserves Act 1977 would have, should the proposal proceed.

Auckland is experiencing fast-paced growth and we need to empower and meet diverse community needs

37. Tāmaki Makaurau is the largest and fastest growing region in New Zealand.

38. Auckland’s parks and reserves provide critical social infrastructure that support and respond to this growth. They provide opportunities for all Aucklanders to participate in sport and recreation and for a range of social and environmental outcomes.

39. Tāmaki Makaurau is one of the most diverse cities in the world with over 180 ethnicities. 40 percent of the population was born overseas.

40. It is essential that council have the most efficient and effective decision-making processes. This enables the council to provide accessible services, social and cultural infrastructure that are responsive to Aucklanders diverse and evolving needs.

41. The Ministerial delegations are essential to manage the enormous scale and volume of decisions that are required for the effective and efficient administration of reserves, as required under the Reserves Act 1977.
42. Tamaki Makaurau has over 4000 parks and reserves amounting to over 18,000 parcels of land. Auckland Council also has 792 leases that authorise sporting and community organisations to occupy recreation reserves and local purpose reserves.

43. The continually evolving processes and systems that council has had in place to implement the delegations since 1999 has ensured that council can deliver effective service for our local communities under the Reserves Act 1977.

**Delays in Ministerial decision-making would be inevitable and would be at the expense of local communities**

44. The number of reserves that we administer means council will likely request decisions from the Minister on weekly basis if the delegations were to be revoked. These decisions would relate to:
   - reserve management plans
   - classification (recreation, scenic, historic, local purpose) and reclassification
   - land exchanges
   - easements
   - leases and licences.

45. Seeking approval under the Reserves Act 1977 from the Department on any of the above matters would lead to significant delays. The council also seeks an understanding from the Department on how it proposes to resource the significant volume of work required to process these decisions.

46. These delays would have a pronounced impact on our ability to deploy and manage community infrastructure, programmes and activities that are core to our local government function. It would reduce our ability to effectively improve the quality of our environment and social wellbeing across our communities.

47. These issues would be exacerbated in Auckland because of growth and associated high-speed change in infrastructure and the tensions around the delivery of multiple outcomes from scarce resources managed under the Reserves Act 1977.

48. The council is concerned that the Ministerial decision-making would be undertaken with little understanding of the local issues. We do not see any benefit to decision-making from this perspective and we are concerned that this would ultimately cause unnecessary delay to delivering health and wellbeing benefits to our local communities. This could lead to a decline in trust and confidence in local and central government.

49. The proposed revocation of delegations will mean that the Minister (or delegate in the Department) will largely focus on whether procedural steps were followed.

50. The council recommend that the Minister be advised that:
   - revoking Ministerial delegations will add significant delays to all Reserves Act 1977 processes
   - council’s ability to be responsive to communities and the changing needs of customers will be severely impacted. This could lead to a decline in trust and confidence.
Ngā koringa ā-muri/Next Steps

51. Auckland Council is available to discuss and provide its view to the Minister of Conservation before a decision is made. This is essential given the number of reserves held under Reserves Act 1977 and the number of New Zealanders they serve.

52. We also strongly urges the Minister to talk to a range of local authorities, including Local Government New Zealand, before making a decision.