

**Part 1**

# **Historical Overview of Auckland Governance**

Prepared for the Royal Commission on Auckland Governance

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## 1. Introduction

Any explanation of why the governmental institutions of a particular city – in this case, Auckland – developed and matured as they did will contain both unique and common elements. Very powerful initially will be the ideological inheritance from the colonising power tempered by the practical and often harsh realities of the survival of pioneer settlements. Later these will largely be supplanted by the nation-making ambitions that prevail among political interests and are expressed in legislative measures. While these set the parameters, very important in determining the actual shape, number, and role of governmental institutions are the local political sentiments that gain and maintain sufficient traction either to preserve the status quo or to effect change. The latter usually takes the form of persuading the legislature that for the better management of the city a particular modification of institutional arrangements needs to be made. The formation of the Auckland Regional Authority (ARA) in 1963 is the classic example in Auckland.

The other modifying driver is a centrally directed and imposed reform of the local government system, which in principle allows for no exemptions. Such a visitation is likely to occur only very occasionally; the aborted area schemes of 1970–71 and the restructuring of 1989 are the two leading instances in recent decades.

The unique elements present in the explanatory mix will include the city’s evolution as an economic entity, its changing demographic patterns, the fundamental social pressures to which it is subject, and its particular brand of urban politics. Where non-partisanship is the norm, the tipping point can be the presence of individual political leaders; without Sir John Allum, for example, the history of the campaign to construct a harbour bridge in Auckland would have been very different.

The upheavals that are inseparable from the radical structural reshaping of the institutions of a system normally mean such reshaping is wielded as a measure of last resort by the architects of governance. When institutional failure is perceived, the political process offers much easier means to change policies or change political leaders. The basic framework, however, is not assumed to need a similar overhaul. The history of the governance of Auckland broadly conforms to such a model.

## 2. Auckland 1851–52 with “one-off” needs

The power granted by the Colonial Office in 1840 to Captain William Hobson, the first governor of the new British possession of New Zealand, to divide the colony into districts, counties, “hundreds”, towns, townships, and parishes was totally devoid of any administrative reality. Lines could be drawn on what primitive maps came into existence in the first few years, but they had no practical governmental connotations. Auckland, selected as capital and occupied by Hobson and his skeletal administrative apparatus

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from March 1841, was to depend for at least 12 years on officials and the military for what semblance of governance and services was provided.

The early governors and their masters in London were torn two ways in coming to terms with the conundrum of local self-governance in their settler-populated colonies. There was the pull of the British Municipal Corporations Act 1835 suffused with ideas about self-reliance and self-management, which, conveniently, included the crucial principle of self-funding. Contrarily, there was the inescapable realisation that frontier settlements struggling to survive physically were manifestly unsuitable for moulding into workable municipal institutions. According to its first census, Auckland in 1841 had a population of 1,835.

Three premature legislative attempts in the 1840s enacted with Auckland clearly in mind remained stillborn. The Municipal Corporations Ordinance 1842 was disallowed by the Colonial Office and a revised version (Municipal Corporations Ordinance 1844) failed to receive the Royal Assent. A decidedly more practical measure, the Public Roads and Works Ordinance 1845, never gained traction because its activation required a majority petition by electors, and there is no evidence that any such petitions were ever collected and presented in Auckland.

The 1846 Constitution “that never was” faced such insuperable obstacles of implementation that Governor George Grey in 1848 obtained a Suspending Act, and in fact the New Ulster Provincial Council (which covered the northern half of the colony) never met. Significantly, however, the provisions requiring all European-occupied areas to be divided into corporate boroughs were left intact. Auckland’s population at the time was 3,746.

What emerged as the very first instalment of local self-government was infinitely more unassuming. In 1848 the County of Eden was divided into six hundreds in which elected wardens were to supervise the construction of roads and other very local works and to manage the Crown wastelands. Despite official hopes of their incubation into “important municipalities”, they remained irrelevant to the governmental oversight of Auckland.

Among the essentially unremarkable evolution of New Zealand’s local government system, the creation of the Auckland Borough Council in 1851 stands unique. It was not requested by the citizens; it came by way of a Charter of Incorporation issued by Governor Grey; it sprawled within such expansive boundaries that a “capital” was delineated; and it was vested with an astonishing range of functions. Within a year it had ignominiously foundered with no rates struck, no by-laws enacted, and – at the end – virtually no candidates for office. It was an abject mismatch between needs and resources, human, financial, and contextual.

Auckland’s governance then fell into the hands of the Auckland Provincial Council established under the British Constitution Act 1852 for New Zealand. Undeterred by either its own inexperience or legal uncertainties, in 1853 it conferred on the 9,156 Aucklanders a city council. Initially diligent, the city council became enmeshed in the coils of vicious personal politics and perished after a couple of years.

For almost a decade the provincial government and Auckland’s government were synonymous, but the struggling provincial administration desperately wanted to offload

its Auckland responsibilities onto truly local shoulders. After another fiasco in 1862 (the Town Board of Commissioners), more sensitive legislative crafting and the drawing of extremely restricted boundaries did succeed in launching Auckland's first local body (City Board of Commissioners), which proved able to survive – and strike and collect a rate!

Until the late 1860s, however, other settlements within the Auckland region remained almost totally dependent on the provincial government for the provision of rudimentary local services and management.

### 3. “Normal” in with the rest until 1920s

The passing of the Municipal Corporations Act in 1867 (mandatory for all new municipalities) had as its context the decline of the provincial system and its presiding over “the disorganized shambles” of local government in the colony. Auckland – still smarting from the loss of its status as capital – agonised over whether to cling to the status quo, or to try for a specially tailored local statute. Eventually in 1871 champions of full-scale incorporation prevailed, and Auckland was proclaimed a borough, and six months later, a city. Attempts to secure special legislation to set up local government in Auckland had been abandoned.

The “new” Auckland City Council very quickly had to accept a proliferation of actors wanting to share the local government stage. Settlements were continuing to spring up across and even beyond the Tāmaki isthmus, by 1875 70 road or highway districts existed in the region, on average each containing only 350 people. However, in 1881 some 60 percent of the region's population of 58,000 was still located in Auckland City.

With the abolition of the provinces in 1876, most of what could be classed as their local government functions were theoretically transferred to 63 counties and their 314 subordinate road boards, while at the same time the messy legislation covering municipalities was consolidated. In Auckland, four counties (Rodney, Waitemata, Eden and Manukau) were defined, but, having failed to adopt the activating schedule in the Act, the latter two were stillborn. As regards Eden County, which equated to the Tāmaki isthmus, this failure to establish an operative county council was thereafter to exert a strong negative influence on the orderly development of a coherent local government system for Auckland.

Left to fend for themselves, the road boards (68 in 1881) faced an even more uphill struggle dealing with burgeoning urban problems than did their two compatriots (Onehunga and Parnell), which had already upgraded themselves into boroughs, or the city council itself. Almost entirely built-up by the late 1870s, Auckland City Council's area was doubled in 1882 when, with the city council's offering sugared by helpful legislation regarding rates increases, residents of three contiguous highway boards (Ponsonby, Karangahape, Grafton Road) agreed to amalgamation. Although this accretion was trumpeted as making Auckland the largest city in the colony, it was actually only the rump of a much more comprehensive reorganisation scheme that was politically unable to be carried.

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If Auckland City Council's efforts to break the institutional cordon lying between its territory and the dwindling rural hinterland are disregarded, the essential history of territorial governance in Auckland over the next 70 years can be summarised under just two interrelated headings – fragmentation and parochial ambition.

Once created, the generally minute – in terms of population and resources – authorities showed not the least intention of sacrificing their existence in the interests of anything or anyone else. The only permissible change was in upwards mobility; after 1881 road boards had the options of graduating into semi-autonomous town boards; and for those with greater aspirations, borough status always beckoned.

By 1901 Auckland's local bodies numbered two counties, seven boroughs, two town districts and 57 road boards; 20 years later the comparable figures were three, 11, 10, and 18. Superficially, the overall totals – 68 in 1901, 44 in 1921, and 35 in 1941 – might suggest institutional rationalisation rather than obduracy, but the underlying explanation is not really an indication that “the greater good” had prevailed. First, the number of boroughs almost doubled; second, the greatest reductions in number occurred among weak road boards whose sustaining life forces were always very debatable anyway.

About the lines on which territorial local government was evolving, there was serious but intermittent political apprehension. In 1895 Richard John Seddon conceived of mini local government commissions controlling the number and size of a vastly reduced territorial sector. In 1912 Joseph Ward unveiled a breathtaking scheme of a supervisory Local Government Board and 24 elected provincial councils. Both perished, overcome by entrenched parochialism and a now-powerful local government establishment. Michael Joseph Savage's first Labour Government was gingerly confronting the issue again in the late 1930s when the onset of World War II forced it off the active list.

What had been fitfully emerging was a recognition that some of the benefits of a rational, planned, and effective territorial local government sector could possibly be achieved by a mixture of other means such as government intervention and a different form of local institutional action.

## 4. Early special ad hoc metropolitan/regional arrangements

The characteristic of many or even most colonial territorial local bodies was that they were notionally big on functions, but small on size (which was a surrogate for population and resources). If upping the size proved too politically courageous, there was an alternative readily available – a structure obverse in nature, namely, small on functions but large in size. This was the ad hoc (often known as single-purpose or special-purpose) board. It was administratively and politically expedient: the territorial sector could be left intact while permitting a genuine local need to be managed on a more solid grounding. It

allowed a major function to be provided and managed viably. It was to become a favourite New Zealand approach – by 1926 there were 358 functioning stand-alone boards.

Auckland's ultimately impressive array of ad hoc boards derived from two sources – national legislation and special local Acts. Auckland's local governmental needs could generally be dealt with under the umbrella of national provisions, but there were always instances where it was accepted – sometimes very reluctantly by non-Auckland political interests – that arrangements tailored specifically for Auckland had to be devised. Indeed, by virtue of two Auckland Provincial Council measures, harbour boards were conferred on Auckland in 1854 (never operative) and 1871. The latter became subject to the Harbours Act in 1878 and functioned in that mode for over a century. The Auckland Harbour Board of 1871 was evidently New Zealand's first operational ad hoc board.

The three other major examples of ad hoc boards derived from national legislation are the Auckland Education Board (Education Act 1877), Auckland Hospital and Charitable Aid Board (Hospital and Charitable Institutions Act 1885) and the Auckland (later Metropolitan) Fire Board (Fire Brigades Act 1906). Areas of jurisdiction were occasionally altered, the education board's area being radically reduced in 1878 and 1952, and the hospital board's in 1886, while the fire board's coverage was extended four times between 1933 and 1967. There is a case that because of financial, control, and representational factors none of the three boards fit credibly within the mainstream classification of local bodies.

Ad hoc boards established by special local legislation include the Hobson Bay Watershed Sewage Board (1900), the Auckland and Suburban (later Metropolitan) Drainage Board (1908), the Auckland Electric Power Board (1921), the Auckland Transport Board (1928), and the Auckland Metropolitan Milk Council (later Board) (1934). In the formation of all of these bodies the Auckland City Council was either instrumental or an indispensable participant and often given direct representation on the governing body. Infatuation with the ad hoc model of local collective endeavour is illustrated also by the short-lived existence of intensely confined bodies such as the Improvement Commissioners (Albert Park), Domain Board (Auckland Domain), Arch Hill Drainage Board, and Manukau Water-supply Board.

The ad hoc model had the considerable virtue that, while avoiding treading on sensitive parochial toes, it enabled vital services or infrastructure to be provided in areas too small or impecunious to do it for themselves. What tended to be neglected, however, were cooperation and the wider metropolitan interest.

## 5. “Greater Auckland” movement within procedural norms 1904–28

Underlying relationships in a governmental system in which a large central body lives alongside a number of its fellows that are equal in legal status but grossly unequal in almost everything else that matters are highly unlikely to be naturally harmonious. Envy of size and standing is an underlying irritant – Auckland City Council as a city stood in

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lonely eminence for nearly a century until it was joined by Takapuna City in 1961. There is also envy over the higher standard and range of facilities and services likely to be provided by the large central body for its citizens, this being compounded by awareness of inadequacies and resentment at having to go cap in hand to the large central body to negotiate for the extension of basic infrastructure such as a water supply, mains sewerage, electricity, or public transport.

For those smaller bodies that are contiguous to what is perceived as a relative Goliath, there is the residual prospect of their very extinction in the form of mergers, or in plain language, amalgamation. They were as fiercely proud of their independence as they had reason to be humble about their ability to perform. What amounted to “contracting out” to the city council could only go so far before the crucial question about the point of retaining existence as a separate legal entity had to be faced. This was even more imperative in the context of metropolitan Auckland’s rampant urban expansion – 51,000 in 1891, 62,000 in 1901, and 102,000 in 1911.

Successive political and administrative leaders in Auckland City harboured almost no doubts – the bottom line could only be amalgamation. The argument ostensibly rested on the “greater interests of greater Auckland”, but it also had the objective of achieving a staged “breakout” of Auckland City from its cordon of surrounding local bodies. In 1898 those intrepid pioneers in the study of British local government, Sidney and Beatrice Webb, paid a passing visit to five New Zealand cities, including Auckland. While Sidney Webb was distinctly unimpressed by the state of Auckland City’s affairs, he reserved his most severe strictures for “the absurd multiplication of small boroughs”, remarks that patently applied to Auckland.

However, Auckland City, as the protagonist of amalgamation and the chief supplier of metropolitan services, was in a cleft stick. The more it “helped” its neighbouring authorities, the more it papered over their ineptness and they inclined to cling to independence. Tenacious promotion of amalgamation from 1901 culminated in a “Greater Auckland” conference in 1904, which endorsed the principle of a single isthmus authority but then ground to a dead stop in the face of suburban antipathy. It was to take the elevation of Arthur Myers to the mayoralty, a surge of interest in local government reorganisation nationally, and the protracted devising by Auckland City Council of an exceptionally astute strategy, for the impasse to be broken.

The outcome was the greatest burst of local government rationalisation in Auckland prior to the historic national restructuring of 1989. Within eight years from 1913 two boroughs and five roads districts had merged with Auckland City, doubling its population to 81,700 and quadrupling its area to 6,400 acres. Furthermore, virtually every other isthmus local body also flirted with taking the same path. There was a second flurry in the late 1920s when the ratepayers of a sizeable outer borough (Avondale) and two eastern road districts (Orakei and West Tamaki) opted to place their future in Auckland City’s hands. Another 9,000 acres and almost 9,000 population were added to its statistical profile.

These absorptions marked the last successes for the Greater Auckland movement, although for the next 20 years there were occasional overtures for further consolidation,

both from and to the city council. In 1931 the ratepayers of Mt Albert Borough voted heavily in favour of merging, but the Auckland City Council had injudiciously made acceptance of this conditional on the favourable outcome of a concurrent poll (which just as decisively rejected merger) of Mt Eden Borough ratepayers.

Saddled with geographically meaningless boundaries (essentially the northern half of the Tāmaki isthmus), the city council was reluctantly forced to reach a modus operandi on metropolitan issues with suburban authorities that were inclining towards salvation through an ad hoc institutional approach. Blandishments in the form of special development loans, capped rates, and upgraded facilities ceased to act as lures, and in any case the city council faced many other more pressing challenges. Mayor Ernest Davis (1935–41) tentatively explored the prospects of voluntary metropolitan cooperation but was soon disenchanted.

## 6. Post-World War II: Throwing in the towel 1945–50

The establishment of the Parliamentary Committee on Local Government in 1944 had its origins in pre-war moves by the first Labour Government to streamline the local government sector. Though thwarted by wartime exigencies, its intentions were explicit. At the Auckland hearings, the city council advocated the entire metropolitan area being brought under a single authority. The committee's report in 1945 evoked a healthy degree of cynicism – “amalgamation by legislation” was superseded by the idea of a permanent quasi-judicial commission charged with preparing schemes for the creation, merger, adjustment, or abolition of local bodies, with majority polls of affected citizens being made the final arbiter. As regards Auckland, the special section devoted to it in the report seemed to shout two contradictory messages: “immediate attention needed” and “too hard”.

Exhibiting staunch determination, the Local Government Commission set forth in 1946, but rather curiously did not make “the Auckland problem” its top priority. Perhaps wanting to “get runs” early on its scoreboard, it tackled easier tasks, but by the time it arrived in Auckland late in 1949, its achievements could be described only as modest.

It had advance warning of what it might encounter – a few months earlier it had investigated the disarray of drainage responsibility on the North Shore and got a feel of the ferocious parochial winds always threatening to blow. When it formally opened its general enquiry on the governance of Auckland, the climate for change was utterly inhospitable.

There were plenty of local bodies queuing up to make submissions – the Auckland City Council presented a compendious factual résumé – but much was of the self-defensive, “we're all right, Jack” kind. The dismayed commission could not discern among the evidence any positive proposal of substance; even the city council avoided advocating any notion of compulsion or of aggressively pushing further territorial consolidation.

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Rather baffled as to the best way forward, the Local Government Commission rose for the Christmas break, but during the recess there was much inter-authority politicking about stymieing further proceedings. When the sittings resumed in March 1950, the Auckland Metropolitan Drainage Board, vigorously supported by a phalanx of smaller councils, persuaded the commission that the only prudent course was to declare proceedings adjourned sine die. Given the barely concealed hostility to any amalgamation that was evident, it was pointless to prolong the sittings and even more futile to contemplate the issuing of any scheme. The commission's subsequent annual reports merely referred to its Auckland inquiry as "not fully determined" and "under consideration".

While not entirely barren, reorganisation in Auckland throughout the 1950s was piecemeal and peripheral and – strikingly in one respect – quite contrary to the basic principles underlying consolidation. Furthermore, the impetus behind reorganisation nationally was severely weakened in 1953 when amending legislation removed much of the Local Government Commission's teeth and made its decisions subject to an appeal authority.

In such a constrained setting, the amount of change achieved was unsurprisingly modest. In 1951 the North Shore Drainage Board was established under a local Act that resulted from the Birkenhead, Northcote, Devonport, and Takapuna Borough Councils and the Waitemata County Council agreeing that the rampant urbanisation forecast to spread across the North Shore after the opening of the Auckland Harbour Bridge in 1959 made the provision of sewerage reticulation and headworks imperative. Three years later the East Coast Bays Borough was hewn out of Waitemata County. In 1955 the two road districts on Waiheke Island were merged and minute Panmure Township Road District rejoined the neighbour (Mt Wellington) from which it had separated 90 years previously.

The growing trend towards setting up county towns along urban-rural interfaces was at odds with the rationalisation model. Originating from an amendment to the Counties Act in 1949, these quasi-local bodies were initially essentially advisory, but as suburban settlements expanded, their proponents started to toy with grander ambitions. By 1964 13 county towns, some of them fancying themselves as nascent boroughs, were strung along the urban fringes of the Waitemata and Manukau Counties.

None of these minor developments had any bearing on the gloomy prospects facing the mainstream restructuring of Auckland's local government system. Indeed, remodelling of the territorial sector had effectively been abandoned. Led by councillors Dove-Myer Robinson and Kenneth Cumberland, the Auckland City Council in 1957 urged the Government to conduct investigations into local authority finance (granted) and the defective local government structure in Auckland (parried). However, they and their allies were astutely veering off the path of territorial consolidation and onto that of a fusion of ad hoc entities.

## 7. Initial glimmerings of regional thinking (planning) 1946–58

The suburban political interests who so resolutely defended their road districts or boroughs against takeovers by the Auckland City Council and helped prise away its electricity and tramway undertakings in the 1920s were anything but regionalists long ahead of their time. They measured “progress” in Auckland’s governance in terms of the growing number of boroughs while conceding from a purely pragmatic standpoint that basic physical facilities such as sewerage, the water and power supplies, and electric tramways had to be provided and managed across greater and greater stretches of metropolitan Auckland.

The two central trends were the continuing demographic growth of the metropolitan area and the steady relative decline of Auckland City as its core, although this latter phenomenon was screened for several decades by amalgamations, depression, and war, as well as the state housing boom of the late 1930s and 1940s.

### Population movements

Year	Auckland City (A)	Metropolitan area (B)	Percent A over B
1926	88,429	193,385	45.7
1936	102,295	212,159	48.2
1945	123,457	263,370	46.8
1956	136,540	381,063	35.8

Charitably but implausibly it might be argued that even if oblivious to the fact, the suburban mayors were actually advocating single-purpose regionalism. That, however, begs the question that multiple such examples almost inevitably lead to the door of administrative fusion. Ironically, the very earliest recorded instance of genuinely metropolitan thinking is attributable to pioneer Labour City Councillor Thomas Bloodworth, who, in 1921 and again in 1928, advocated the formation of what was tantamount to a Metropolitan Board of Works à la Melbourne to control all major public utilities. His views were dismissed as far too radical and in any case incompatible with the city council’s prime objective of pursuing a “Greater Auckland” grounded upon itself.

Where the weak flame of regionalism could faintly be discerned was in the unlikely corner of town planning. The first Town Planning Act (1926) allowed for joint planning schemes, not least because the preparation of schemes individually was patently beyond the capacity of smaller local bodies. From a mixture of both self-interest and altruism, Auckland City Council sought to persuade its neighbours to tackle this formidable new task cooperatively, but by 1930 admitted defeat. Pushing ahead on its own, the city council must have been

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infuriated in 1938 when the Planning Board, as a means of exerting leverage in favour of adopting a metropolitan approach, declined to ratify its inaugural scheme.

The implicit message was heeded; extraneous circumstances made it very hard going, but by the end of 1945 the isthmus local bodies had been cajoled into a Metropolitan Planning Committee (later Organisation) charged with preparing a voluntary metropolitan plan. Under the direction of the first Metropolitan Planning Officer, F.W.O. Jones, and technical staff, work commenced on an outline development plan. With the sensible inclusion of urbanising parts of Waitemata and Manukau Counties, the area being covered expanded to 300 square miles and 330,000 population. The outline development plan was formally presented in mid-1951 and was quite visionary in certain respects, but its implementation depended on political will, and it could not conceal the inability to impose an integrated planning strategy.

The 1953 Town and Country Planning Act provided for the establishment of regional planning authorities, Auckland being one of the six so formed, although disagreements over funding delayed its formal gazetting until 1957. The Auckland Regional Planning Authority, the executive arms of which comprised a board of local body appointees and a technical advisory committee, was still hamstrung by the shackles of voluntarism. In several of his annual reports, the founding chairman, Professor K.B. Cumberland (1954–59), hammered the theme that without the means to implement them, regional planning schemes were effectively useless. In another arena (the city council) he was then promoting a regional approach; to plan and manage comprehensive development of the Auckland region, a “talk shop” of independent agencies would not suffice – some form of truly comprehensive government was the only way forward.

## 8. Formation of Auckland Regional Authority 1958–63

The tortuous and protracted path that culminated in 1960 in the introduction of a measure in Parliament to oversee the establishing of regional government in Auckland was typical of local politics of the era – parochial, machinating, and myopic. It took a full five years for the idea to negotiate innumerable obstacles and survive repeated attempts to scuttle it.

Its genesis was a conference of local bodies in mid-1954 instigated by the Auckland mayor, John Luxford, which unanimously endorsed the concept of a two-tier local government system. In short order suburban councils were nagged by second thoughts and the best that could be procured was an advisory Metropolitan Local Bodies Association (later restyled Metropolitan Council).

Understandably suspicious about the amount of backsliding already evident, Auckland City Council lodged a request for the newly elected Labour Government to investigate local body arrangements in Auckland. After an explicit warning by the Minister of Internal Affairs against inaction, in mid-1957 the Metropolitan Council nervously decided to undertake the study itself. Put bluntly, two years of fluffing around ensued; lacking were staff resources,

stamina, insight, and any wholehearted commitment to the cause. Mutually accepting that the attainment of metropolitan government seemed impossible, the opposing camps were on the point of organising victory celebrations or a wake, when three events occurred that exerted such a combined impact as to produce an attitudinal sea change.

First, in September 1959 the *New Zealand Herald* published a series of six articles on the virtues of handling Auckland's problems by a metropolitan body. Citing overseas precedents and describing the possible operational scope and mechanics of truly empowered quasi-regional governance, the frankly campaigning articles were extremely important in reshaping stakeholder thinking.

Second, a month later the Local Bills Committee of Parliament was instructed to enquire into whether the structure of local government in New Zealand was capable of meeting the needs of a rapidly developing population in the most efficient and suitable manner. The principal findings of the report issued late in 1960 definitely helped to concentrate the minds of the anti-metropolitan element in Auckland. Although regionalism received only passing reference, both a two-tier system in the large cities and further consolidation of the territorial sector were supported.

Third, Dove-Myer Robinson won the Auckland City mayoralty contest in the October 1959 local body elections. Robinson had consistently decried Auckland's notorious fragmented and disunited outlook and immediately brought his enhanced authority as chairman of the hitherto languishing Metropolitan Council into play.

In March 1960 he alternately browbeat and blarneyed 400 delegates into accepting the notion of creating by statute an establishment committee to devise legislative plans for a metropolitan-wide authority. It was a masterly performance, with the choices he ominously offered being radical territorial consolidation, Government intervention, or a local body-approved metropolitan authority. Once suburban fears about signing their own death warrants were allayed, delegates almost stampeded in support. Conditioned into accepting that some kind of reform was inevitable, they were responsive to the insinuation that a metropolitan authority would distinctly weaken the case for further serious territorial amalgamation.

Such unparalleled accord paved the way for the remarkably swift preparation and lodging (by the city council) of the requisite bill. Having concocted something of a bandwagon image, Robinson saw the measure attract almost no opposition and within a few weeks was chairing the inaugural gathering of the Auckland Regional Authority Establishment Committee. This congenial interlude at the end of 1960 was quite untypical of Auckland politics and was actually the calm before a storm.

From its inception the committee was given no respite. Its own life was to end in one year's time; agreement on the functions to be transferred to the regional authority was far from unanimous and the balance of political representation was equally contentious.

In March 1961 a prioritised list of physical infrastructure functions that knit the region together was published. It comprised regional planning, mains drainage, bulk water supply, regional roads, public transport, regional parks and reserves, an international

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airport, and lastly, civil defence and fumes, hydatids, and termite control. A populist stand was taken on representation, the model of direct election from wards based on parliamentary constituencies being favoured. These were augmented by complicated but compromise transitional arrangements. An accompanying document outlined the supporting rationale for the reform.

Release of each section of the resulting 100-clause bill precipitated a rising volume of objections about cost, representation, inadequate consultation, and functional mix, but eventually it was transmitted to Parliament. A humiliated Robinson then failed to stop a special meeting of the committee ordering withdrawal of the bill pending a thorough study of its implications. The significance of this reversal became apparent a few weeks later with the emergence of a rival bill that proposed nothing more than a widened Auckland Regional Planning Authority armed with mandatory planning powers.

When emissaries reported that reconciliation between the opposing views was impossible, Robinson threw appeasement overboard. A redrafted bill mandatorily abolished all 15 existing ad hoc boards and specified direct rating and a half-elected, half-appointed 76-strong controlling board. There was an immediate and dramatic further parting of the ways, the territorial sector overwhelmingly backing the official bill and the ad hoc sector (facing abolition) cleaving to the Auckland Transport Board's rival (but modified to allow for voluntary absorption) measure.

Both bills fetched up in Parliament together in September 1962, a situation almost without precedent. Parliament was both annoyed and impatient; its basic assumption had been that Auckland had got and was keeping its act together, yet it was being asked to resolve a bitter local impasse. In short order it rejected the Transport Board's bill and deferred the ARA Establishment Committee's bill.

Sensing that opinion was adversely hardening, the establishment committee mounted a public relations initiative over the 1962 parliamentary recess, promising the exclusion of objecting ad hoc boards and making any future inclusions voluntary. Territorial amalgamation was categorically repudiated. When heads were counted councils were now backing the bill by 20 votes to two.

The final stages of the drama formally relegated all the participants to the status of bystanders for the exasperated Local Bills Committee refused to give the measure priority or to conduct any further hearings. Finally, after further negotiations, an amended bill was reported back and passed in the 1960–63 Parliament's final few hours at the end of October before it was prorogued for the imminent general election.

Substantial concessions were made: all objecting ad hoc boards except for those responsible for transport and milk distribution were excluded; the controlling body was severely whittled down in numbers and made appointive for the initial term; any local body could veto the application of direct rating in its area; and to placate urban fringe sentiment an "area of benefit" levy formula was introduced. These concessions should not overshadow the astounding institution that was created. Entirely without precedent in New Zealand, the ARA then surely ranked among the very top of innovative local government reforms on a world scale.

Assigned to the ARA was a block of nine functions that collectively went well beyond any standard definition of physical infrastructure services – mains drainage, the international airport, public passenger transport, reserves and parks, civil defence, regional roads, regional planning, bulk water supply, and milk distribution. Their previous providers comprised five separate ad hoc boards, two combined local body committees, and the Auckland City Council. Furthermore the ARA was given the exclusive right to undertake any new regional functions. Its boundaries were thoughtfully set to accommodate ongoing urban expansion – virtually the entire Auckland region plus Waiheke Island. Finally, the ARA was vested with nearly all of the powers normally enjoyed by mainstream local bodies.

As its inaugural meeting in December 1963 approached, vital questions about the ARA's long-term prospects were being articulated by both its champions and detractors. Would it become a voracious funding monster? Would its members place regional needs first? Would it succeed in guiding and managing Auckland's growth effectively? Could it integrate the disparate functions assumed? Would it become the accepted and authentic voice of Auckland? What difference would it make to the region's well-being, oversight, and future?

## 9. Local Government Commission reactivated: the Auckland Area Scheme 1970–71

The formation of the ARA was both exhausting and distracting for all those directly involved; those dedicated to preserving the territorial status quo belatedly realised that it could be plausibly championed as an alternative, rather than complementary, to amalgamation. It temporarily took the heat off small suburban boroughs, but the credentials of amalgamation meant that its absolute removal from the agenda of structural reform in Auckland was never feasible or contemplated. The fact that the ARA's area of jurisdiction encompassed 31 territorial local bodies (four counties, four cities, 22 boroughs, and one town district) was itself a standing reminder about the extent of Auckland's governmental fragmentation.

It was not coincidental that in the 1960s the leading instigators of consolidation in Auckland's four geographical sectors were the authorities already distinguished by their size, status, or potential. Auckland, the urban entity, if not the Auckland City Council area, was experiencing explosive urban growth – successive censuses from 1961 recorded the population of the built-up area as 448,365, then 548,293, and 649,657.

In promoting territorial rationalisation, Takapuna City (North Shore), Waitemata County (West Auckland), and Manukau County (South Auckland) were resigned to being accused of wanting to enlarge their own boundaries, but they were primarily moved by the objective of trying to correct the irrationality of coherent geographic sectors integrated in nearly every vital respect except for their local government arrangements. Draft reorganisation schemes were developed and approved, but the practical outcome (the merger of one county and one borough) was puny in the extreme.

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On a North Shore eagerly awaiting the opening of the harbour bridge, tempers were heated by schemes ranging from total amalgamation of the six territorial authorities through an appointed “Regional City of the North Shore”, to an elected “City of the North Shore”. By 1964 all had succumbed to hostile local politics or adverse polls, subsequently discouraging even twofold mergers. In West Auckland a scheme for an area-wide single “City of Waitakere”, laboriously prepared by the Local Government Commission, was soundly defeated at a poll in December 1964. Only 25 percent of those eligible cared enough to vote, and the commission was dismayed, but no tangible proposal was saved. Waitemata County was left to cope with an array of mounting problems within its untenable boundaries. Manukau County’s first attempt to manage the rapidly soaring population in South Auckland was to form the South Auckland Local Government Authority with the objective of coordinating works, services, and land use planning. However, the four boroughs involved displayed more interest in annexing parts of the county, this leading to the demise of the authority in the early 1960s and eventually to Manukau County and Manurewa and Papatotetoe Boroughs agreeing on a merger. At a poll in April 1965 a 71 percent negative vote by Papatotetoe voters saw it excluded, leaving only Manukau County and Manurewa Borough to constitute the new Manukau City. Its founding population of 73,218 was on the cusp of a sustained expansion.

By the mid-1960s the third Local Government Commission had effectively abandoned its attempts to bring about territorial reform in Auckland and was probably in agreement with the 1967 legislation, which conferred on its successor the power to prepare area schemes that would determine the general pattern of local government in each area and to which all local schemes had to comply. The criteria governing area schemes and the announcement by the chairman, Hugh Fullarton, that the reconstituted commission’s first priority would be to address the Auckland and Wellington “problems”, rang nerve-jangling alarm bells in the suburban boroughs.

After exhaustive consultation and investigation, the Local Government Commission released its area scheme for Auckland at the end of 1970. Thirty-two territorial units and 23 ad hoc boards were to be consolidated into nine and 11 new bodies respectively. At its core, each of Auckland’s four organic geographical sectors was to be placed under separate “one-city” control. During the objections stage a huge counter-campaign was mounted by local bodies scheduled for abolition, some 3,580 objection forms being lodged and eminent legal counsel retained. The arguments that were assembled to defend the status quo wanted nothing in breadth or ingenuity but the commission refused to buckle. The final area scheme promulgated in mid-1972 actually reduced the five cities to four, Howick being cast into Manukau City.

While no poll rights inhered in area schemes, they could be given statutory effect only by local schemes initiated either by local bodies or, if all else failed, the commission. Its hopes rested on encouraging signs of intent from the pro-amalgamation councils of Auckland City, Takapuna City, and Waitemata County, while the opponents of change pinned their hopes on the forthcoming general election and an upsurge of political support for the status quo. For good reason they knew full well that the radical, quasi-mandatory amalgamation characterised by the final area scheme was a virtually certain vote loser.

The 1972 general election was a landslide victory for Norman Kirk's Labour Party and the subsequent announcement by Henry May, Minister of Local Government, that the Local Government Commission Act would be repealed, by implication thus consigning the hated area scheme concept to the rubbish bin, was received with much satisfaction by those defending the suburban boroughs. Such celebrations were unwarranted and hence a shade premature; what was charted was not just repeal of the 1967 Act but enactment of major new legislation dealing with the local government system. Furthermore, there was no evidence that the architects of the area schemes or their underlying rationale had been disowned.

## 10. The Local Government Act 1974 and implicit amalgamation

For all its revolutionary reputation, the pathfinding 1974 Local Government Act had both legislatively and in practice only a muted impact on altering the fundamental shape of Auckland's governance. The fact that it took nearly two years to pass into law severely lessened the political perception of immediacy of resulting action.

First, although heartily disliked by the local government establishment, it statutorily abolished not a single existing local body. Admittedly the poll provisions were radically stiffened, it now requiring an adverse vote by at least half the electors – not just voters – of the entire area affected to defeat a proposal from the Commission. This was intended to negate the effective killing of schemes by small numbers of voters in individual territorial districts earmarked for abolition. If the Commission was minded to attack territorial fragmentation, its enhanced powers were indeed formidable, but it was not specifically charged to do so by the 1974 Act.

Second, the chief thrust of the Act was regionalisation, and Auckland already had regional governance in the form of the Auckland Regional Authority. Elsewhere the ad hoc sector was rightly quivering with apprehension, but in Auckland those boards left outside the ARA's ambit in 1963 had little to fear. None of the raft of additional responsibilities that progressively the ARA was to assume – regional water management, refuse disposal, community development, the Mt Smart Stadium, employment creation, and urban transport planning – entailed the abolition of an existing ad hoc board.

What in theory was capable of transforming the institutional architecture of Auckland local government were the Act's provisions relating to community councils. The legislative conversion of county boroughs and county towns into district communities and communities respectively with their own councils could be accommodated, but the prospect of a myriad of troublesome community councils being formed in urban areas resulted in concern skyrocketing among city and borough councils in the main centres.

Typically in the vanguard, the Auckland City Council had already taken its own pre-emptive action even before the Local Government Bill had reached the statute books. In 1973 it made provision for community committees, 14 having been formed by early 1974. Like the community councils, they were to be the voice of the local area on matters

requiring attention, encourage interest in the community and its affairs, and advise the parent authority appropriately. Cynics suggested that the actual motives driving the city council were to forestall the imposition of the ward system and/or the swarming of gnattish community councils.

The sweeping victory of Robert Muldoon's National Party in the 1975 general election soon rendered all this agitation and manoeuvring redundant. The polling provisions of the 1974 Act were substantially softened, the ad hoc sector was removed from the Local Government Commission's jurisdiction, and the establishment of community boards within essentially urban local bodies was prohibited. When this legislative reversal was allied to the summary dismissal of the Fullarton Commission in 1978, the chances of any top-down reshaping of Auckland's local government structure occurring became negligible.

## 11. Minimalism in the Muldoon era 1976–84

It is only a slight exaggeration to state that the Muldoon National Government between 1976 and 1984 would do just as much or as little about reorganisation as the local government sector allowed. The downgraded Local Government Commission was required to seek reorganisation "solutions" that were not contrary to general public opinion and even where it was emboldened to promulgate final schemes, the Minister of Local Government could direct their reconsideration.

Unsurprisingly, the record of change in this period is almost entirely barren. Indeed, what stirrings occurred were as much about secession as they were about amalgamation. Similarly, apart from the national abolition of fire boards in 1976, the 1972 schedule of ad hoc boards in Auckland was unchanged in 1984.

On the North Shore, Takapuna City, which in 1974 had been substantially enlarged by the acquisition of part of Waitemata County, in 1976 conceded that further pursuit of local body consolidation was politically pointless. On the Tāmaki isthmus, the Auckland City Council swatted away several half-hearted attempts by suburban boroughs to annex portions of its territory. At least five isthmus boroughs commenced borough-to-borough merger negotiations and one scheme (One Tree Hill, Ellerslie, and Mt Wellington) nearly made it to fruition. In Manukau City, the council, chronically beset by problems of rapid growth, had to contend with a determined secessionist movement in affluent Pakuranga in the late 1970s. It only collapsed when the potential beneficiary, Howick Borough, remained aloof.

The only changes to the map of Auckland's local government structure were extremely minor. In 1970 the Waiheke Road Board was elevated to county council status and in 1977 the Warkworth Town District was absorbed into Rodney County. Although the number of local bodies was not altered, the conversion of Waitemata County into Waitemata City in 1974 heralded further possibilities of amalgamation in the west. After much sparring with the brash Henderson Borough Council, Waitemata City Council in 1983 consented

to conciliation, but when the outcome was a recommendation for a merger, Henderson Borough categorically refused.

On the ad hoc front change was equally minimal. The two electric power boards (Auckland and Waitemata) conducted talks in 1976, with the latter being attracted by Auckland's dominant industrial base, but neither then nor in 1983, when a further approach occurred, could a deal be reached. In 1977 the ARA was in expansionist mood, for it launched takeover kites in respect of the Auckland Harbour Board, the North Shore Drainage Board, and the Auckland Harbour Bridge Authority. Quite predictably, the reactions were utterly negative. One of the three – the Harbour Bridge Authority – did disappear in 1984, but through its abolition and incorporation of the bridge into the State highway network.

Criticism attended the birth and infancy of the ARA, and while it never completely abated, in the 1970s under the political leadership of Tom Pearce (1968–76) and Lee Murdoch (1976–83) regional management matured and regionalism flourished. This was despite an unsuccessful campaign from 1978 by four local bodies on the southern urban fringe to secede and form a one-county “South Auckland United Council”. However, a fundamental rift over role and philosophy had not been bridged.

Murdoch had lucidly delineated a fivefold mission for the ARA: to rationalise essential services; to coordinate the Auckland region; development; to identify and help meet community needs; and to be in the forefront of guiding economic and social progress. Such a vision was repugnant to traditional local body leaders, who viewed the ARA's proper task as akin to that of a board of works, and they determined to rein in what was luridly branded as “a monster out of control”. Lurking were the twin fears that some of their functions could be usurped and their own revenue streams compromised.

After several years of skirmishing and destabilising political nastiness, in 1983 the disaffected mayors and councils concluded that their best strategy was the capture and control of the ARA itself. Under the banner of “New Deal” this was comfortably accomplished at the 1983 elections, 20 of the 29 seats being captured. Despite this political buffer, the New Deal discovered that returning the ARA to its “proper role” was much easier to articulate in theory than achieve in practice. The New Deal's goal of wresting control of the organisation from senior management culminated in such demeaning infighting that, in 1985, 21 Auckland mayors petitioned the Minister of Local Government, Dr Michael Bassett, for an urgent review into ARA affairs. This was promptly assented to and implemented. Astoundingly, the ARA itself made no formal submission.

Those wanting a curtailment of healthy regionalism itself must have been aghast at the outcome. Not only was the New Deal leadership admonished for wrecking staff relations, but also the prerogatives of senior executives were reinstated and the range of functional responsibilities confirmed. The repercussions of the whole unfortunate affair ran deep through Auckland's local government system, but it did “bang heads together” and return the focus from quasi-ideological warfare to more moderate and traditional ways of resolving differing approaches as to how best to manage the meeting of Auckland's needs.

## 12. Labour's great leap for Auckland 1987–89

The snap nature of the 1984 general election precluded the victorious Labour Party from having developed and presented to the electorate a carefully shaped and integrated platform on many issues; this included the strands of a concerted local government policy. It almost immediately became apparent, however, that a radical review of the system was being envisaged, and that although comprehensiveness was the watchword, reorganisation of the local government structure was among the top priorities. This was confirmed with the appointment of Dr Michael Bassett – on record as strongly endorsing the principles of the Local Government Act 1974 – as Minister of Local Government.

From mid-1985 the Government's chosen vehicle, the Local Government Commission under Brian Elwood, embarked on extensive tours of self-education, floating the notion that reform of its structure by its own volition could save local government from a centrally imposed radical "solution". It also forewarned that special attention would be paid to the intractable big cities. The Auckland City Council, already on record as favouring a one-city isthmus, confirmed its position about the same time as Eric Clark, the commissioner assigned to Auckland, was recommending the adoption of a four-city restructuring of the metropolis. The response of the isthmus boroughs (except for Mt Wellington, which was in the throes of merging with Otahuhu) was to help form a lobby, the Campaign Against Forced Amalgamation, and extol the principle that as regards effective local government, "smaller was smarter".

Notwithstanding initial pleas to be left alone and their later promotion of compromise alternatives, the suburban boroughs well understood that if Labour was returned at the 1987 general election, fundamental reshaping of the local government system was bound to follow. When Labour emerged a comfortable victor, the status quo was doomed, the victim of the first truly comprehensive review of local government in the nation's history. Dr Bassett had the Tāmaki isthmus specifically in mind when he outlined the benefits of reform as increased efficiency, resolving of inter-authority disputes, cessation of negative parochialism, and fostering of regional cooperation.

The scope of the exercise was truly staggering. Within two years the functions, structure, organisation, and funding of the local government system would be evaluated and the results embodied in a fundamental restructuring that permitted the inaugural elections to the new authorities to be held as per schedule in October 1989. Parallel reviews of the ports, public hospitals, resource management laws, retail energy, liquor licensing trusts, and transport sectors would continue apace. Aside from local government reform, which was driven by the Minister of Local Government, Michael Bassett, the guiding ideology for most of these reviews emanated from the Treasury and was steadily applied to vast spaces of the public and private economy.

The Government stressed that there was no preordained answer waiting to be unfolded and as evidence that "its door was always open", the Local Government Commission commenced a further series of consultations. However in August 1988, the first enabling legislative measure, the Local Government Amendment Act (No. 3) 1988, abolished all poll

rights in respect of reorganisation schemes, removed constraints of the status quo, and prescribed a timetable and the essential framework of reform.

Spectacularly, the Minister ventured into hitherto unmapped territory by enunciating what amounted to the principles justifying the rationale for local government itself. A local government sector existed to

- recognise the existence of different communities
- promote the identity and value of those communities
- define and enforce appropriate rights within those communities
- ensure the provision of local public goods
- undertake locally owned trading enterprises on a commercially neutral basis
- deliver on behalf of central government such national public goods as may be most efficiently delivered by local government.

Almost simultaneously the Local Government Commission released indicative regional schemes for the country, with the Auckland region collapsing the area's 44 local authorities into just 11. The ARA was to be re-formed as the Auckland Regional Council (ARC) and assigned additional functions; the territorial authorities were to be consolidated into four cities (North Shore, Waitakere, Auckland, and Manukau) and three districts (Rodney, Papakura, and Franklin); and a number of ad hoc boards, mostly those dealing with pest destruction, noxious plants, and reserves, but also including the North Shore Drainage Board, were to be abolished.

By the end of 1988, draft schemes that did have the force of law had been issued. As regards Auckland, not unexpectedly, the indicative and draft schemes were almost identical in all crucial respects. Wards were specified for all the new territorial authorities and partly elected ward committees (later modified to community boards) and service delivery centres prescribed for most. An attached explanatory memorandum outlined the options considered, justifications for that preferred, and presented a detailed delineation of boundaries.

Drawing resolve from the popular sentimental virtue of retaining “our own local body”, several suburban boroughs continued to fight what had become an unwinnable battle. On the North Shore, independent Devonport went all the way to the Court of Appeal, only to be told that the prerogative for determining the best local government arrangements legally lay with the commission. Five Tāmaki isthmus authorities unavailingly joined to promote a three-city isthmus. In all reality, as the release of the final reorganisation schemes and the passage of the Local Government Amendment Act (No.2) 1989 confirmed, the chances of deflecting either the Government or the commission at the 11th hour were effectively nil. The only significant last-minute change in the Auckland region was the contentious inclusion of Great Barrier Island and other smaller islands of the Hauraki Gulf within the City of Auckland. In any case, the more astute mayors and councils, firmly guided by their senior staff, had already turned their attention to the

difficult and delicate task of transition negotiations and coming to grips with political and policy alignments in the new era.

It is undeniable that the local government restructuring of 1989 was both a profound institutional upheaval and a powerful emotive issue, especially for active citizen interest in long-established boroughs. Nonetheless, it is also easy to exaggerate just how deeply the issue ran through communities. A few weeks before the final schemes were published the Auckland Star conducted a survey of 500 Aucklanders; it revealed that opinion about the reorganisation was divided almost evenly into pro-, anti-, and neutral factions. When asked to articulate a reason for their attitude 44 percent were unable to, and when asked to indicate which of the proposed authorities they lived in, almost as many answered incorrectly.

### **13. Patterns of the 1990s: localism, metropolitanism, and regionalism**

Brian Elwood, as chairman of the Local Government Commission and a principal architect of the 1989 restructuring of the local government system, at the time appealed to all those involved to give the changeover a good two terms [six years] to settle in and prove itself. This plea assumed huge significance when the National Party comfortably won control of Parliament at the 1990 general election. In opposition National had trenchantly opposed many of the main thrusts of Labour's reform and there was justifiably much apprehension that in office it would proceed to undo the essential framework of restructuring. In particular, National's attitude to territorial local government reorganisation had for long rested on the principle of local voluntarism. It was committed to a reinstatement of the "democratic reorganisation process" and repeal of a mandatory ward system, and also articulated a rather vague questioning of the necessity for a tier of regional government.

Prior to the Government's policies assuming legislative reality, a deamalgamation movement based on the Great Barrier and Waiheke Islands was urging secession from Auckland City. This culminated in a non-statutory binding poll which, however, resulted in 60 percent of the 67 percent turnout of voters rejecting the proposal.

In 1992 Warren Cooper, the Minister of Local Government, piloted three-pronged major amending legislation through Parliament. First, regional councils were to be restricted to a regulatory (which included planning) role, although the ARC was also allowed to retain its network of regional parks. Second, to assume responsibility for the ARC's commercial enterprises, an entirely new elected body, the Auckland Regional Services Trust (ARST), was established. ARST was required to hold, manage, and/or dispose of these assets, which included the majority shareholding in the Ports of Auckland Ltd. Third, the barriers to secession from territorial districts were significantly lowered, there being an underlying assumption that any serious breakaway proposal would succeed unless the Local Government Commission believed that it would make it difficult to ensure good government of the area affected.

Encouraged by a decidedly friendly legislative context, so many new secessionist movements had emerged by 1994 that the New Zealand Local Government Association felt compelled to make urgent representations to John Banks, Cooper's successor as Minister. To the association's obvious relief, Banks accepted its thesis of a dangerously unstable systemic environment and he endorsed the passage of the Law Reform Act, which restored much of the Local Government Commission's former authority. This included conferral of the right to reject reorganisation proposals that failed to meet a set of statutory criteria for good government. In effect, by consenting to the stymieing of most breakaway schemes, the National Government signalled its acceptance of the main elements of the restructuring of 1989.

Indeed, it was probably not coincidental that in his 1994 annual report the Controller and Auditor-General noted the impossibility of drawing any valid comparisons between pre- and post-1989 local bodies as regards the cost of providing services and concluded that predictions regarding the performance of proposed breakaway bodies could be nothing but conjecture.

Although there were occasional media reports of discontent with the new local government arrangements in other parts of Auckland, in only two areas were breakaway movements powerful enough to force themselves onto the Local Government Commission's agenda.

At the end of 1992 the Independent Devonport group submitted a proposal for detaching what was essentially the Devonport Ward from North Shore City. When the Local Government Commission started preparing a complying draft scheme, the North Shore City Council began legal proceedings seeking a review of the commission's action. The commission's response was to contemplate embarking on a larger review of governmental arrangements on the North Shore as a whole. However, the passage of legislation in 1994 required the commission to treat the Devonport proposal *de novo*, thus subsuming it within the confirmed North Shore review. The outcome of this review, which was conducted in mid-1996, was itself legally challenged, but no creation of a separate district for Devonport was proposed.

The formation of Manukau City had lumped into one local authority very disparate areas of South Auckland, and resentment at what was perceived as an "unnatural union" had never subsided in the affluent areas of Pakuranga, Howick, and the more rural villages and farming tracts beyond. In mid-1993 the Local Government Commission received a proposal for forming an Eastern City cut from Manukau City. Initial discussions revealed that the Manukau City Council was categorically opposed to such a truncation and the proposal was referred back to the sponsors. Several successive modifications of the proposal still left the commission unsatisfied that good government of the district would result, and finally in 1997 it ruled that the proposal had lapsed.

In 2000 the Rodney District Council was forced to suffer a humiliating reorganisation, not of its area or status, but of its political control. Infighting and friction among the councillors steadily rendered the council more and more dysfunctional until the Minister of Local Government accepted advice that the only option available was to dismiss the council and place a commissioner in charge. Legislation providing for this was passed in

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April 2000, and for a year until new elections were held, Grant Kirby (as commissioner) acted as the mayor and councillors.

Neither the prevailing ideology of ARST nor its outstanding commercial management of the assets it held were especially welcome to the National-led Coalition Government of 1996–99. Overwhelmingly backed by Auckland public opinion, ARST had simply declined to sell its holding of port shares, eventually compelling the Government to retreat on the issue. However, while it was created by Parliament, ARST enjoyed no inherent statutory protection, and in 1998 it was abolished. It had already been directed by Government to sell the Yellow Bus Company to private enterprise and its remaining assets except for water were transferred to Infrastructure Auckland. The latter was an appointed body limited to making grants for land transport (including passenger transport) and stormwater infrastructure projects. The shares that ARST held in Watercare Services Ltd were transferred to the local bodies that received its wholesale water and drainage services.

The legislation creating Infrastructure Auckland was quasi-organisational in another vital respect too: the ARC was required to prepare an ongoing Auckland Regional Growth Strategy. An entirely new body, the Auckland Regional Growth Forum, consisting of ARC and territorial authority members, was given the power to advise on and approve the preparation of the strategy.

## 14. Recent agitation for further reform of Auckland's governance

Notwithstanding the fact that its statutory powers and functions have periodically varied, the Local Government Commission has for 60 years always been the obvious official instrument for bringing about change in the structural pattern of local government. Occasional exceptions such as the formation of the Auckland Regional Authority in 1963 or the Auckland Regional Services Trust in 1992 only serve to emphasise this. Given the Local Government Commission's role, the fact that in the past 12 years not a single proposal for restructuring Auckland's governance has been formally reported by the commission may superficially suggest an extremely high level of satisfaction with the status quo.

This may be the actual position, but there are several other possible scenarios. The first is that those elements favouring a return to aspects of the pre-1989 status quo have withered in an inhospitable climate and have ceased being a force. The second is that different communities of stakeholders have different attitudes about Auckland's governance. How those attitudes are distinguished essentially depends on how the relationship between governmental arrangements and Auckland's fundamental and long-term economic prosperity is perceived. Generally, those who are unable or unwilling to perceive a strong connection are unlikely to enlist under a reformist banner; conversely, those who can articulate a cogent case for local governance "hold back" are likely to

mount a case for action. This is a world removed from old catch-cries such as “big government is better”, or “leave our local body alone”.

The only changes to the governance structure of Auckland since the millennium have not been instigated locally and have involved only one sector – not surprisingly, transport. In July 2004 the funding agency Infrastructure Auckland was abolished by legislation and replaced by an ARC-controlled organisation, Auckland Regional Holdings Ltd, to manage some \$1.36 billion of regional assets. The same measure created another ARC-controlled organisation, the Auckland Regional Transport Authority, to plan, fund, and implement passenger transport for the region and to coordinate the planning of local roads. These tasks had to be performed in consistency with the Auckland Regional Land Transport Strategy.

The centrally driven nature of the reform stems from the Government’s approximately 70 percent share of the total contributions financing Auckland’s roading and passenger transport networks. Even more specifically, the reform was the quid pro quo demanded in order to unlock a massive funding package (\$1.6 billion over 10 years) to be applied to the region’s transport needs, which the Government had devised.

The objectives of the Local Government (Auckland) Amendment Act 2004 were widely supported by Auckland local government interests even though the machinery of transport management in Auckland remained as fractionated and suboptimal as before. However, a view was gaining currency that the only effective way to make local government a major positive player in the cause of the region’s current and future well-being was to undertake a fundamental reform of Auckland’s governance arrangements generally.

During 2005 and 2006 leading business stakeholders, the eight local authorities themselves, and the New Zealand Centre for Infrastructure Development, all made prominent contributions to the mounting debate over the need for, and direction of, reform of Auckland’s governance. The issues promoted and the directions advocated were many and complex, but from them can be distilled a smaller number of key concerns. In summary these were the creation of one “super city” authority, the best role for the Auckland Regional Council, the value of an executive lord mayor, the fate of the existing cities and districts, the place of community government, the safeguarding of representative democracy, and instruments for developing strategic policy.

## 15. Evolution of local government functions in Auckland

In 1900, the year of a substantial revision and consolidation of the Municipal Corporations Act, the Auckland region’s population was estimated to be approaching 100,000. Governmental bodies comprised one central government, 68 territorial local authorities (TLAs), and four ad hoc boards. Of the 68, the Auckland City Council was the only credible

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example of a true general-purpose local body, yet as regards what functions it actually performed it was subject to the same legislative regime and principles as all the others.

The relevant governing principle, which had been imported from the British legal system, was that of *ultra vires* (beyond one's powers). It was to prevail until the Local Government Act 2002. What this essentially meant for local government was that its functions were limited to those that were expressly permitted by legislation: undertaking anything else was *ipso facto* illegal. In practice this was scarcely draconian because of Parliament's overwhelming preference for conferring discretion; most functions allowed to TLAs were not mandatory but optional. So the functions actually performed by any TLA sprang from three sources – statutory compulsion, community expectation, and political initiative. By contrast, *ad hoc* boards were created for a special purpose – early Auckland examples were the Auckland Harbour Board, the Auckland Education Board, and the Auckland Hospital and Charitable Aid Board – with their functions directly prescribed by Parliament.

If a local body wished to undertake any function that was not *intra vires* it could seek to have the general legislation amended, but very formidable barriers usually blocked this approach. Infinitely more common was the use of the Local Act mechanism, whereby, if Parliament approved, appropriate legislation (empowering) particular to that local body could be enacted. The ACC utilised this procedure in 1900 to secure for itself exclusive rights to build and operate an electricity generating plant.

In 1900 the territory of many outlying Auckland local bodies was still partly rural, and roading was the only significant function, although increasing time was being consumed by drainage needs and regulatory issues such as wandering stock. The ACC stood in a category of its own; not only was it supplying basic physical services such as removal of sewage and refuse, water, roading and footpaths, cemetery, and nuisance control, but with its library and art gallery, public swimming baths, and array of parks, it had also moved into the social realm.

Furthermore – and crucially – the ACC was already in the process of emerging as a provider of last resort, a role that was to mature and remain until the establishment of the Auckland Regional Authority (ARA) in 1963, and even after. During the ensuing half century other Auckland local bodies were to rely on it for *their* water supply, library and art gallery facilities, abattoir requirements, electricity supply, nightsoil disposal, burial responsibilities, motor vehicle drivers' licences, and milk inspection.

As the pattern of Auckland local government settled down after the changes wrought by the "Greater Auckland" movement and the upgrading of most suburban units into full-scale boroughs, two dominant characteristics were evident.

Paramount was the exceptionally high level of involvement of central Government in the provision of services. Mainline services such as the police and judiciary, welfare and commuter rail, and main highways (after 1926) were all provided directly by the State. The heavyweight functions of education, public hospitals, and electricity supply (after 1922) were joint responsibilities shared by the Government and local *ad hoc* boards, but overall direction and control rested clearly with the former.

The second was the often-reluctant acceptance by TLAs that the traditional “roads, rubbish, rats [symbolising nuisance control], and rates” model of defining functional responsibility was inexorably becoming outmoded. The bulk of expenditure still went on roading and drainage and ancillary matters, but other demands were now registering. Recreation in the forms of parks and reserves, local halls, and for the most adventurous, libraries, was the most common. Two other functions – managing the impact of the motorcar and land use planning – also came to loom very much larger from the 1930s and 1950s respectively. Apart from the building of pensioner housing, the radical expansion of public housing and social welfare programmes before and after World War II scarcely brushed the fringes of local body awareness.

Although the 1959–60 enquiry by Parliament’s Local Bills Committee was directed by its terms of reference to concentrate on specified structural issues affecting the territorial local government system, its report included an analysis of functions. This listed 69 functions, of which almost half had been assigned to local bodies by the crucial Acts of 1876. The list was unclassified but could have been grouped under four broad headings: protection, communal, personal, and trading.

The report also noted that in many places ad hoc boards were very important service providers. This was particularly true in Auckland, where the utilities of electricity, isthmus public transport, mains sewerage, port operations, and the harbour bridge were all under the control of ad hoc boards. The advent of the ARA reduced this number by two. In 1970 Dr G.T. Bloomfield calculated that six distinct types of organisation were responsible for the provision of 36 major public services in the Auckland region. His calculation should also have included the eight elected liquor licensing trusts created since 1953; eventually their maximum number was 12.

Of Bloomfield’s 36 major services, TLAs were involved in providing 21, ad hoc boards with 10, the ARA with 11, Government departments and agencies with 12, private companies with five, and trusts with eight. Confusion among the general public in Auckland as to precisely who was responsible for exactly what as regards the public sector services and functions was rife but excusable.

The 1974 Local Government Act was truly groundbreaking in several respects, but just as it never abolished a single existing local body, so it never changed the functional role of the territorial sector. In this regard its impact in Auckland was negligible and the ARA was already streets ahead as regards the diversity and importance of its functions. Such issues of the decade on each side of the system’s fundamental restructuring in 1989 tended to be clustered around four themes.

Garnering the most publicity was the alleged “functional aggrandisement” of the ARA (see section 11). These fears were fed by the fact that since the ARA’s inception, an additional six functions had been tucked under its wing; what its detractors ignored were the facts that several had been located there by the edict of central government and that none involved the dissolution of any institution. Further inflaming traditionalist concern was the articulation of a non-service visionary role for the ARA – leadership, coordination, and guiding hand.

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The second theme can be described as the three other principal TLAs – Takapuna City, Waitemata City, and Manukau City – continuing with an undeclared but dogged policy of undergoing a partial makeover as far as circumstances allowed in the image of the ACC. The range of social functions they performed distinctly broadened, and this phenomenon was intensified after their enlargement and elevation to genuinely sub-regional status in 1989. Of particular note was the cultivation of Waitakere City as an eco city and Manukau City as a multicultural city; both had definite implications as regards functional performance and emphasis.

The third theme centred on the proper role – and hence functional assignment – of quasi-local bodies located at the community level. The history of the community committees created by the ACC in 1973–74 was periodically punctuated by discord over their preferred role – from the council’s perspective they were champing to trespass into its own exclusive functional territory, while to the community committees the ACC was intent on restricting them to “harmless” advocacy and communication tasks. The legislative provision for community boards in 1989 failed to settle the issue, for the general purposes prescribed were all non-service in nature while all of the tangible functions, duties, and powers that could be exercised were wholly the discretionary prerogative of the parent TLA.

The fourth theme was inherently intractable – and accordingly, enduring. It went to the very heart of the sector: what should – not could – TLAs be doing? This debate was, of course, not confined to Auckland, but it had an especially hard edge there because of seemingly unstoppable urban expansion and its corollary, accompanying demands for extension of services. The ills and dysfunctions to which urban societies are prone was also confronting the region’s TLAs and posing a dilemma as to where to draw their functional boundaries. Notwithstanding the lack of any power of general competence, after 1989 every TLA did possess three powers: constructing works for its district’s benefit; involvement in community development and welfare; and imposing by-laws for good rule and government – which in principle would classify quite daring functional excursions as not ultra vires. A very general impression is that there were almost no known cases of these powers being used to venture outside the usual ambit of functions.

In the past 20 years the changes in functional portfolios have centred somewhat more on external imposition and method of delivery rather than the justification for performing any particular function or not. Certainly, TLAs have simply had to comply with the requirements of Government to undertake a demanding range of licensing and inspecting roles – swimming pools, buildings, liquor outlets, and prostitution. In the first half of the 1990s some 37 percent of urban authorities changed their method of delivering core services, the overwhelming trend being away from in-house and to LATEs, business units, or private sector contracting.

The debate as to whether the territorial sector should “stick to its knitting” – by which is essentially meant basic physical and very limited social services – or embrace a much broader role of caring for the community is susceptible of resolution neither legally nor philosophically. The dilemma is usually revisited at every triennial election, when there is apt to be agitation for both higher-quality and/or additional services and lowering or

holding the rates. The Local Government Act 2002 has been lavishly praised for conferring on TLAs the generalised right to promote the present and future social, economic, environmental, and cultural well-being of their communities, and by doing so, effectively abandoning the ultra vires principle. However, it has been at a cost – the bedrock issue of the rightful functional and service roles of TLAs is arguably more murky and intractable than ever.

## 16. Central government’s evolving role

The ways in which the relationship between central government and a large city develops depends very heavily on whether or not it comes to be characterised by “special features”. That is, the extent to which the political and administrative apparatus of central government adjudges the particular metropolis to require treatment that applies to it alone, and conversely, the extent to which the metropolis and its governmental institutions successfully demand that they be accorded preferential one-off handling. If central government’s approach, policies, and management as regards the metropolis are indistinguishable from the way these work nationally, then it can be inferred that central government simply sees no need to “ring-fence” the metropolis and deal with it and its problems differentially.

For much of the early colonial period, central government and its rudimentary apparatus was also Auckland’s local government. As the first few attempts to confer local government on the settlement so starkly reveal, such objectives lacked any touch with the grim reality. However, as the chosen capital of New Zealand, Auckland right from 1840 had a special status that compelled the governors and their officials to afford it pride of place as regards attention and funding.

Much the same position obtained in the first decade of provincialism (1852–62), save that the Auckland Provincial Government had largely stepped into central government’s shoes. Several opportunities were offered to Auckland to help itself by setting up representative institutions, but the corollary – a commensurate amount of self-funding – was quite unattractive to the struggling settlers. What public services existed were mainly provided by the provincial administration. The loss of the capital to Wellington in 1867 was neither illogical nor unexpected, but what it did prove was that the political elements then controlling central government held it to be a cost that they had no compunction in making Auckland pay. The transfer of the corps of officials and the removal of parliamentary and governmental services amounted to special negative treatment for Auckland.

Through to the early 20th century, central government essentially regarded Auckland as just one of New Zealand’s “big four” cities, not needing any special attention or favours in its own right. By 1886 Auckland’s metropolitan population (57,048) clearly outstripped that of its closest rival, Dunedin (45,518), and each census confirmed an alarming widening of the gap. It would have been impolitic for central government, which after the abolition of the provincial system in 1876 became the primary provider of public service and facilities, to have signalled that Auckland was anything special.

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Willingness to concede that Auckland issues could warrant exclusive attention from the centre emerged first in the form of one-off legislative measures. Although local Acts were a common legislative device, to progress they needed the assent of Parliament, and hence acceptance by the Government. Major examples are the Auckland and Suburban Drainage Act 1908, the Auckland Electric Power Board Act 1921, the Auckland Transport Board Act 1928, the Auckland Centennial Memorial Park Act 1941, and the Auckland Harbour Bridge Act 1950.

Central government's presence in Auckland was marked by its choice as the location for numerous district or regional headquarters of government departments and agencies, but for the ordinary citizen far more prominent as the face of government were the many basic public services that the State continued to provide directly. These included justice, the police, health, social welfare, railways, electricity generation, and in certain respects, education. As defender of the realm, the State's presence in Auckland grew enormously with the development of the army base at Papakura, the naval base at Devonport, and later the two air force bases at Whenuapai and Hobsonville.

The dramatic expansion of State activity under the First Labour Government (1935–49) changed both the physical shape and social conditions of Auckland. With the advent of massive state housing projects, the Government became the landlord of many thousands of working-class Aucklanders and their families. For probably more than 25 percent of adult Aucklanders, the Government presence came in the form of the unprecedented raft of social security programmes and benefits – old-age, invalidity, family, maternity, and unemployment – that were unrolled before and after World War II.

In the transition of Auckland from the 1950s from a public transport-based to a car-based city, the Government played a crucial role. The 1955 adoption of the Master Transportation Plan with its commitment to a motorway network would have been inconceivable without firm backing from the Government. As motor vehicle traffic on Auckland's roads and state highways inexorably grew, so did the presence of the Government's arm of traffic enforcement, the Department of Transport.

The centre's attitude to Auckland and its problems in the second half of the 20th century was decidedly paradoxical. A few issues had such enormous implications nationally that the involvement of the Government was unavoidable; examples are commitment to the motorway strategy, agreement to build an international airport at Mangere (1960), and the Bastion Point Māori land issue (1977–78). Much earlier (1956) an Auckland Area Joint Works Committee consisting of four cabinet ministers and six local body nominees had been formed, but almost nothing is on record of its duration or achievements. Pressures on the resources of the Local Authorities Loans Board in the inflationary late 1970s led to the formation of a joint central-local organisation, the Auckland Public Expenditure Committee (APEC), intended to prioritise all regional works competing for funds. Because of indignation about the supposed overriding of local prerogatives and suspicions about who would determine its direction, APEC was confined to the roles of gathering information and identifying options.

By contrast, specific excursions of the centre into Auckland affairs were very untypical. There is no evidence that the residual administrative agency, the Department of Internal Affairs, ever exercised close surveillance, let alone contemplated intervening, over Auckland matters. Indeed, there was a wider persistent political and administrative reluctance to even recognise that urban issues per se required any special oversight. Auckland's journey towards becoming a relative metropolitan colossus never precipitated the establishment of an "Auckland issues" select committee of Parliament. Politically, both major parties were wary of attracting damaging accusations that they were too ready to buckle before "the Auckland lobby". In the two decades from 1970 there was apparently only one meeting between Auckland Members of Parliament and the Auckland City Council.

From the Auckland perspective, its interests have been treated varyingly by the centre – sometimes with disdain, often with cautious awareness, and less frequently by a tangible sympathetic response. There have been longstanding irritants such as alleged injustices over the funding of the Auckland War Memorial Institute and Museum and failure to support the construction of an electrified rail system. Until the adoption of population-based funding for the public hospital system the Auckland health sector strongly argued that Vote Health discriminated against Auckland. Almost from the inception of the National Roads Board in 1953, funding formulas used to distribute national roading grants have rankled with Auckland's territorial local bodies.

The impression is that in the past few decades the relationships between Auckland public sector institutions and central government and its agencies have generally mellowed and matured. An awareness in practice that on occasions Auckland and Auckland issues could not simply be subsumed into a generalised "big city" response by the centre has been matched by rethinking about the centre as a bottomless pool of funding to help resolve, or at least manage, those issues. One significant indication was the establishment in 2006 of the Government Urban Economic Development Office through which four leading ministries sought to "improve the focus on Auckland-related policy development". Another has been the close and generally fruitful central-local collaboration at the officials level since the late 1990s over the shaping and funding of key aspects of transport strategy in Auckland.

Determining what Auckland deserves by way of sympathetic consideration and tailored support from the centre can never be reduced to the application of some objective formula. Is it, for example, a net contributor to, or liability on, the public purse? That said, it cannot be challenged that Auckland is different. Within its region lives one-third of New Zealand's population and it exhibits a majority ethnic profile not replicated anywhere else. Auckland is the nation's overwhelmingly dominant gateway for arrivals and departures and has attained the status of principal commercial and business powerhouse. While central government has no brief to be a partisan cheerleader for Auckland, it should always act in the informed light of what impact Auckland is likely to have on its policies and management of the national interest.

## 17. Conclusion

Auckland has experienced only three transformations of its governance that were genuinely epochal in nature. They were the abolition of the provinces in 1876, the establishment of the Auckland Regional Authority in 1963, and the institutional restructuring of 1989. The first was part of a nationwide governmental reform, the second an initiative generated by Auckland forces, and the third part of a fundamental review of the local government system. Each radically altered the assignment of responsibility for managing the city and its needs.

There are also a number of secondary but extremely significant transformations that affected only a single public service or limited geographical part of Auckland. The formation of the Auckland and Suburban Drainage Board in 1908 was a pioneering landmark in local body cooperation, while the statutory establishment of the Auckland Transport Board in 1928 brought together most transport-related functions under the umbrella of one organisation. Although unspectacular as an amalgamation, the formation in 1963 of a new city in a South Auckland undergoing rampant urbanisation was to have a profound impact on the management of Manukau and its problems. Almost at the opposite pole on the visibility scale was the statutory formation of the Auckland Regional Services Trust in 1992; nevertheless, the concepts of stewardship of public assets on which it was based added an important new dimension to the overall governance of Auckland.

Maintaining a balance between an “easy come easy go” philosophy of governmental institutions and the setting in stone of one particular construction is among the high arts of managing the machinery of government. Overall, Auckland has not been served badly. If its governance arrangements have not noticeably facilitated Auckland’s long-growing dominance as New Zealand’s economic powerhouse, nor have they constituted a damagingly heavy drag.

## Appendix 1: General Functional Responsibility in Auckland

Function/service	Responsible body		
	1900	1950	2000
Abattoir	ACC; private	ACC; private	Private
Airports	-	Local bodies	Local bodies; private
Baths	ACC	ACC; local bodies	ACC; local bodies; private
Cemeteries	ACC; churches;	ACC; local bodies; churches; private	Local bodies; private
Civil Defence	-	-	Local bodies; central government
Corrections	Central government	Central government	Central government
Drainage	Local bodies; ad hoc board	Local bodies; ad hoc board	Local bodies; ad hoc board
Education	Education Board; private	Central government; Education Board; private	Central government; Boards of trustees; private
Electricity supply	ACC	Central government; ad hoc boards	State-owned enterprises; ad hoc board; private
Firefighting	ACC; voluntary	Ad hoc board	Central government
Gas supply	Private	Private	Private
Harbour control	Ad hoc board; local bodies	Ad hoc board; local bodies	ARC
Health	Central government; local bodies	Central government; local bodies	Central government; local bodies
Hospitals	Ad hoc board; private	Ad hoc board; private	District health boards; private
Housing	Private	Central government; ACC; private	Central government; private
Justice	Central government	Central government	Central government
Libraries	ACC; private	ACC; local bodies; private	ACC; local bodies
Milk supply	Private; ACC (inspection)	Ad hoc board	Private

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Function/service	Responsible body		
	1900	1950	2000
Parks and recreation	ACC; local bodies; Domain Boards	ACC; local bodies; Domain Boards	ACC; local bodies; ARC
Police	Central government	Central government	Central government
Port	Ad hoc board	Ad hoc board	ARC Company
Railways	Central government	Central government	Central government; ARC entity; private
Refuse disposal	ACC; local bodies	ACC; local bodies	Local bodies; private
Roading	ACC; local bodies	Central government; ACC; local bodies	Central government; ACC; local bodies
Social welfare	Central government; churches; voluntary	Central government; churches; voluntary	Central government; local bodies; churches; voluntary
Town planning	–	ACC; local bodies	Central government; ARC; ACC; local bodies
Traffic	ACC	Central government; ACC; local bodies	Central government (moving); local bodies (other)
Transport, passenger	Private	Ad hoc board; central government; private	ARC entity; private
Water supply	ACC	ACC; local bodies	ACC company; local bodies; local body entity

Abbreviations: ACC, Auckland City Council; ARC, Auckland Regional Council.

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