

Date: Tuesday 4 May 2021
Time: 9.30am
Meeting Room: The Stevenson Room
Venue: Level One Franklin the Centre
12 Massey Ave
Pukekohe

Franklin Local Board

OPEN MINUTE ITEM ATTACHMENTS

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Decision-making responsibilities policy

File No.: CP2021/04983

Te take mō te pūrongo Purpose of the report

1. To endorse the draft decision-making responsibilities policy for inclusion in the long-term plan.

Whakarāpopototanga matua Executive summary

2. The Governing Body is required by legislation to allocate decision-making responsibility for the non-regulatory activities of Auckland Council to either itself or local boards. This allocation is outlined in the Decision-Making Responsibilities of Auckland Council's Governing Body and Local Boards policy that is published in each long-term plan and annual plan.
3. The policy also records delegations given to date by the Governing Body to local boards and provides a list of statutory responsibilities that are conferred on both governance arms.
4. An internal review of the policy was undertaken in early 2021 and considered by the Joint Governance Working Party at its meeting on 22 March 2021. The review outlined some proposed changes to the policy as well as some recommendations on how to take forward other issues that do not yet lend themselves to a policy amendment. The recommendations adopted by the Joint Governance Working Party have informed the proposed changes in the draft policy. (Attachment A).

Ngā tūtohunga Recommendation/s

That the Franklin Local Board:

- a) endorse the draft Decision-making Responsibilities of Auckland Council's Governing Body and local boards policy.

Horopaki Context

5. The Governing Body and local boards obtain their decision-making responsibilities from three sources:
 - statutory responsibilities - functions and powers directly conferred by the Local Government (Auckland Council) Act 2009 (LGACA) 2009
 - non-regulatory activities that are allocated to local boards and the Governing Body in accordance with a set of principles (section 17(2) LGACA)
 - delegations – these can be regulatory or non-regulatory responsibilities; the Governing Body has delegated some of its responsibilities to local boards.

Allocation of non-regulatory responsibilities

6. The primary purpose for the policy is to set out the allocation of non-regulatory decision-making responsibilities. However, it incorporates other sources of decision-making authority for completeness and context, including a register of key delegations which have been given by the Governing Body to local boards.

Joint Governance Working Party (JGWP)

7. To facilitate a review by the JGWP, staff provided an analysis of issues raised, mainly by local boards, and proposed recommendations in relation to those issues. The report containing this advice can be found in the record of the Joint Governance Working Party Meeting, 23 March 2021.
8. The JGWP carefully considered the issues that were in scope for the review as well as the staff advice and raised some questions and issues that staff are exploring further. These are discussed in the advice below.
9. This report only covers the discussions relating to the recommended changes to the policy. A memo will be provided to each local board providing a summary of the issues considered in the review and outlining a staff response to specific issues, if any, that individual local boards raised in their feedback.
10. Following their review, the JGWP agreed as follows:

1. That
the Joint Governance Working Party:

- (a) note the feedback from local boards on the decision-making responsibilities policy
- (b) request the following amendments to the decision-making responsibilities policy:
 - (i) request that staff report with urgency that local boards can be delegated approval for developing and approving area plans, provided the Governing Body can make its views known on such plans
 - (ii) that the local boards can take responsibilities for decision making over drainage reserves provided such decisions are constrained to those that will not negatively affect the drainage functions and stormwater network operations.
 - (iii) provide for local boards to tailor locally delivered projects within regional environmental programmes, subject to advice from staff on the types of projects that can be tailored
 - (iv) provide explicit reference to Health and Safety obligations and requirements that local boards and Governing Body must consider in their decisions
 - (v) local boards can object to a special liquor licence and this be enabled by an appropriate administrative process.
- (c) note the recommendations that the next phase of the Waiheke pilot should consider some of the issues that have been raised including:
 - (i) trialing delegations from Auckland Transport on decision-making relating to street trading for roads and beaches, placemaking and urban design decisions
 - (ii) Identifying opportunities and non-regulatory decision-making elements in relation to town centres that the Governing Body can consider when making allocation
- (d) recommend that Auckland Transport consider if there are types of community activities that can take place on road reserves without impacting the roading network.
- (e) request staff scope out a review of the role of the Governing Body in regional governance within the shared governance model of Auckland Council, taking into considerations the recommendation of the CCO Review.

The following members requested that their dissenting votes be recorded as follows:

Cr A Filipaina against e)

Member R Northey against e)

The following members requested that their abstention be recorded as follows

Cr S Henderson against (b)(i)

Cr R Hills against (b)(iii)

Tātaritanga me ngā tohutohu Analysis and advice

Request for further advice or implementation support

Area plans

11. Local boards requested that the responsibility for adoption of area plans, which is currently allocated to the Governing Body, be assigned to them. This can be done through allocating the responsibility to local boards or through the Governing Body delegating this allocated responsibility to local boards to exercise on their behalf.
12. Staff have considered this request and advised the JGWP as follows.
 - Area plans are an important tool in council's spatial planning framework. It is used to strategically plan an area usually for the purpose of seeking and/or supporting changes to the Unitary Plan. The responsibility for the Unitary Plan rests with the Governing Body.
 - Area plans, as a stand-alone non-regulatory tool and decision, appear 'local' in nature given their focus on local planning which is a responsibility allocated to local boards.
 - However, area plans also meet the exceptions in section 17(2) of the LGACA: specifically that for these decisions to be effective, they require alignment or integration with other decision-making responsibilities that sit with the Governing Body. These include plan changes and amendments to the Unitary Plan, infrastructure prioritisation and regional investment.
 - During the Waiheke pilot, the Waiheke Local Board sought a delegation to sign off the Waiheke Local Area Plan. This delegation was granted with conditions that included a requirement to ensure the involvement of a member of the Independent Maori Statutory Board. This suggests delegations on a case-by-case basis can be possible and provides an alternative route if a standing delegation is not given to local boards.
13. The JGWP carefully considered the advice of staff but were not all in agreement with it. Members had strong views about the need to empower local boards in their local planning role and have requested staff to reconsider their advice and to explore the risks and possible risk mitigation of enabling local boards to adopt the plans through a delegation from the Governing Body.
14. Whilst the practice already ensures high involvement of local boards in the development of these plans, it was the view of the JGWP members that delegating the adoption decision with relevant parameters is more empowering for local boards. JGWP members felt that this would enable local boards to make local planning decisions that are aligned with their local board plan aspirations and other community priorities without requiring further approval from the Governing Body, whose members may not be as familiar with these local priorities.
15. JGWP members agreed that area plans, while local, often require funding and alignment to other plans that are developed by the Governing Body. Keeping the responsibility and accountability allocated to the Governing Body ensures the decision continues to sit at the right level but that this does not necessarily need to be exercised by the Governing Body on all occasions.
16. The JGWP have requested advice from staff on how to pursue a Governing Body delegation. Staff will seek to provide further advice to the JGWP. If the JGWP considers recommending a delegation from the Governing Body on this issue, staff will present the request to the Governing Body for consideration. A delegation can be given at any time and it will have immediate effect.

Special liquor licence administration process for notifying local boards

17. One of the issues raised in the local board feedback is special liquor license applications. On this matter, the request was for clarification that local boards can object, as per the delegation from Governing Body granting the ability to make objections under the Sale and Supply of Alcohol Act 2012. Elected members perceived this is not being enabled as

notifications on these licences are not proactively shared with them in the same way that information about other applications (on, off and club licences) are.

18. The JGWP has recommended that this be clarified in the policy and request that staff enable notifications to be sent to local board where public consultation is required for special licence applications.

Proposed changes to the Allocated decision-making responsibilities (part c)

Local purpose (drainage) reserves

19. During discussions with local boards on the scope of the review, many local boards raised concerns about the interpretation of the policy.
20. An example raised by Upper Harbour Local Board demonstrated the need for clarity, especially in areas where decision-making authority allocated to both governance arms overlap. During the development of the board's local park management plans, staff had advised that those reserves that are primarily dedicated to stormwater drainage should be treated as part of the stormwater network. This advice appeared to suggest that local boards do not hold any decision-making over a subset of local parks since it is the Governing Body that is responsible for management of the stormwater network.
21. Through discussions with staff as part of this review, the advice has been revised. Staff accept this is an example of where there is clear overlap in activities and decision-making responsibilities. Staff will need to work closely with local boards to develop protocols that enable decision-making by the Governing Body on stormwater issues to be exercised efficiently and effectively.
22. The JGWP were supportive of the staff recommendation to clarify that the exercise of decision-making in relation to stormwater network and how it functions must be properly enabled on local parks. This is done by acknowledging that these considerations and decisions about the stormwater network constrains local board decision-making over local parks (or parts of local parks) that have a stormwater drainage function. This clarity will also help staff to understand that the local board continues to retain the decision-making responsibility over all other activities of local parks.

Role of local boards in environmental programmes and grants

23. Some local boards feel the current policy wording and ways of working does not provide a meaningful role for local boards on regional environmental issues, specifically regional environmental programmes. These local boards have also requested that local boards be enabled to monitor the progress of any locally-delivered projects (funded by regional environmental programmes) through the established work programme reporting mechanism.
24. Local board input into regional environmental programmes is at the policy and/or programme approval stage. The approved programme direction provides sufficient guidance to staff, acting under delegation from the Governing Body, when developing an implementation plan and prioritising projects for delivery.
25. At the operational level, where identified priorities and project ideas are to be delivered in local parks or other key locations within the local board area, local board input is sought by staff at workshops. This is to ensure locally delivered projects are tailored to local circumstances. While it is possible to capture this current practice in the policy, this needs to be done in a way that continues to enable relevant local boards to add value to projects without too many administrative requirements. A member of the JGWP also expressed concern about signalling all projects can be tailored to local circumstances as this is not the case.

Other changes

Health and Safety – parameters for decision-making

26. Council decisions need to take account of Health and Safety considerations, as well as reflecting a shared approach to risk.
27. Staff advise that Health and Safety considerations should be explicit in the policy to protect the council from liability. The JGWP supports this recommendation and a reference to complying with health and safety legislation and plans has been inserted in the policy.

Issues relating to delegations

28. The review considered requests for new delegations or additional support to implement delegations given to local boards. Some of these were requests for delegation from Auckland Transport.
29. The review considered that before recommending or agreeing any new delegation, the delegator, whether it be Governing Body or Auckland Transport, must first weigh the benefits of reflecting local circumstances and preferences (through a delegation) against the importance and benefits of using a single approach in the district (through itself retaining the responsibility, duty, or power concerned).
30. Staff advised the JGWP to recommend that the Waiheke pilot (part of the Governance Framework Review) which is about to enter another phase, expands to include a trial of delegated decision-making on key issues raised in this review. They include several issues that relate to Auckland Transport, namely street trading and town centre/urban design. Piloting these delegations can help Auckland Transport to identify any practical issues that need to be considered before a formal delegation to all local boards can be given on any of the issues identified.

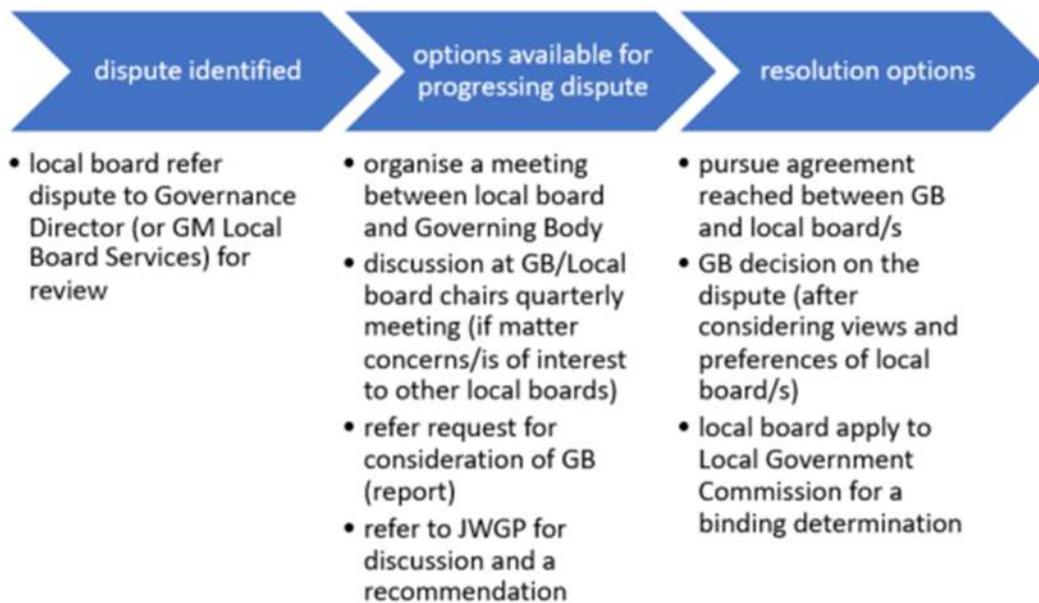
Other issues

JGWP resolution on role of Governing Body

31. Some members of the JGWP expressed concerns about what they perceived to be a heavy focus on local board responsibilities.
32. Both sets of governors were invited to identify issues to be examined in the review. The Governing Body, in workshop discussions, did not identify any major issues that it wanted to review but was open to including any issues raised by local boards. As a result, almost all of the issues raised were suggested by local boards and the majority of them relate to their areas of decision-making responsibility. This may have given the impression of a bias towards examining the role of local boards.
33. To address this concern, the JGWP requested that staff scope a review of the role of the Governing Body. Staff will provide advice to the JGWP in response to this request at an upcoming meeting.

Escalation process for any disputes relating to the Allocation of decision-making responsibilities for non-regulatory activities

34. The process for resolving disputes relating to allocation of non-regulatory responsibilities (including disputes over interpretation of the allocation table) will vary depending on the issue at hand. The chart below outlines the basic escalation process.



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Attachment A

Tauākī whakaaweawe āhuarangi **Climate impact statement**

35. This report relates to a policy and does not have any quantifiable climate impacts.
36. Decisions that are taken, in execution of this policy, will likely have significant climate impacts. However, those impacts will be assessed on a case-by-case basis and appropriate responses will be identified as required.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera **Council group impacts and views**

37. Council departments support and implement decisions that are authorised by this policy.
38. Feedback received to date from some departments reinforces the need for guidance notes to aid interpretation of the allocations in the decision-making policy. This work will be done in consultation with departments.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe **Local impacts and local board views**

39. This report canvasses issues that had been raised by local boards and focuses on those issues that warrant an amendment to the policy.
40. All other issues raised by local boards in their feedback were canvassed in the staff advice that formed part of the review. This information is available to all local boards.
41. Staff have also prepared responses to specific issues raised by local boards and have shared this information in a memo.

Tauākī whakaaweawe Māori **Māori impact statement**

42. There are no decisions being sought in this report that will have a specific impact on Māori.

Ngā ritenga ā-pūtea **Financial implications**

43. There are no financial implications directly arising from the information contained in this report.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

44. There are no identified risks other than timeframes. The Governing Body will be adopting this policy in June as part of the Long-term Plan. Local board feedback is requested in early May in order to provide time to collate and present this to the Governing Body for consideration.

Ngā koringa ā-muri Next steps

45. Staff will prepare guidance notes to aid the interpretation of the decision-making policy following its adoption.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Decision making responsibilities policy	

Ngā kaihaina Signatories

Authors	Shirley Coutts - Principal Advisor - Governance Strategy
Authorisers	Louise Mason - GM Local Board Services Trina Thompson - Local Area Manager

Wahanga tuawha: Te Tuku I Te Mana Whakatau-Mahi Tikanga Here-Kore

Part Four: Decision-Making Responsibilities of Auckland Council's Governing Body and local boards

Note: proposed edits are underlined and in bold – these amendments are designed to enhance clarity

This policy sets out Auckland Council's allocation of decision-making responsibilities of non-regulatory activities among the Governing Body and local boards. Providing context for this is:

- an overview of the sources of decision-making responsibilities for the Governing Body and local boards
- a summary of the associated powers.

Sources of decision-making responsibilities

The Governing Body and local boards obtain their decision-making responsibilities from three sources.

(a) Statutory decision-making responsibilities

The Governing Body and local boards have statutory responsibilities under the Local Government (Auckland Council) Act 2009 (Act). These statutory responsibilities are not repeated in the allocation table.

(b) Delegation of decision-making responsibilities

The Governing Body can delegate some of its decision-making responsibilities to local boards.

(c) The Governing Body and local boards can also be delegated decision-making responsibilities from Auckland Transport. Allocation of decision-making for non-regulatory activities

The Governing Body is required by legislation to allocate decision-making responsibility for the non-regulatory activities of Auckland Council to either the Governing Body or local boards, in accordance with principles contained in section 17(2) of the Act. This provides as follows:

- a) decision-making responsibility for a non-regulatory activity of the Auckland Council should be exercised by its local boards unless paragraph (b) applies;
- b) decision-making responsibility for a non-regulatory activity of the Auckland Council should be exercised by its Governing Body if the nature of the activity is such that decision-making on an Auckland-wide basis will better promote the well-being of the communities across Auckland because-
 - i. the impact of the decision will extend beyond a single local board area; or
 - ii. effective decision making will require alignment or integration with other decisions that are the responsibility of the Governing Body; or

Part Four: Our policies

4.4 Decision-Making Responsibilities of Auckland Council's Governing Body and local boards

- iii. the benefits of a consistent or co-ordinated approach across Auckland will outweigh the benefits of reflecting the diverse needs and preferences of the communities within each local board area.

Decision-making for non-regulatory activities can only be allocated to either the Governing Body or to a local board. Where more than one local board has an interest in a local activity then section 16(3) of the Act provides that:

... a local board should collaborate and co-operate with 1 or more other local boards in situations where the interests and preferences of communities within each local board area will be better served by doing so.

The non-regulatory decision-making allocation is required to be identified in the Auckland Council's Long-Term Plan and Annual Plans (section 14(3) of the Act)

Statutory and delegated decision-making responsibilities

a) Statutory decision-making responsibilities

Governing Body: The Governing Body is a local authority, and hence has the power of general competence under section 12 of the Local Government Act 2002. In addition, the Governing Body has specific statutory decision-making responsibility for the following:

- The regulatory activities of Auckland Council (such as Unitary Plan, consenting, and bylaws)
- Allocation of non-regulatory activities to either local boards or the Governing Body
- Any non-regulatory activities of Auckland Council that are allocated to the Governing Body
- Agreeing local board agreements with local boards
- Emergency management
- Compliance with the financial management requirements of section 101 of the Local Government Act (including the Annual Plan, the Long-term Plan, and financial policies)
- Regional strategies and policies (such as the Auckland Plan and the Local Board Funding Policy)
- Governance of Council-Controlled Organisations
- Appointment of the Chief Executive
- Maintaining the capacity of Auckland Council to provide its services and facilities (including the disposal and acquisition of assets)
- Transport networks and infrastructure.

Local boards: The statutory role of local boards includes decision-making responsibility for the following:

- Any non-regulatory activities of Auckland Council that are allocated to local boards
- Adoption of local board plans
- Agreement of local board agreements (with the Governing Body) and monitoring the implementation of local board agreements - this can include proposing a local targeted rate
- Providing input into regional strategies, policies and plans
- Proposing bylaws for the local area
- Community engagement, consultation and advocacy.

Local boards are not local authorities but will act as such for specified allocated matters, or those matters set out in the Act.

When exercising their respective decision-making responsibilities, the Governing Body and local boards must ensure compliance with all statutory requirements. This includes the council's obligations under the Health and Safety at Work Act 2015.

b) Delegated decision-making responsibilities

To date the Governing Body has delegated the following decision-making responsibilities to all local boards:

- Input into notification decisions for resource consent applications
- Amendments to the Policy on Dogs in relation to any dog access rules in local parks, local beaches or local foreshore areas in their local board area
- Making objections to liquor licensing applications (**on, off, club and special licences**) under the Sale and Supply of Alcohol Act 2012
- Making, amending or revoking alcohol bans, except in areas of regional significance
- Certain powers under the Reserve Act 1977 for local reserves: declaring a reserve (s.14(1)), classifying a reserve (s.16(1) or 16(2A)), reclassifying a reserve (24(1)), and proposing the revocation of reserve status (s.24(1)) in order to manage the land under the Local Government Act 2002
- Disposal of local service property and reinvestment of sale proceeds in accordance with the service property optimisation approach (as adopted by the Governing Body).

The Governing Body has also delegated the following decision-making responsibilities to:

- Āotea/Great Barrier Local Board, for-
 - authorising the destruction of wandering stock on Great Barrier Island, in accordance with the Impounding Act 1955
 - decision-making on operational cemeteries on Great Barrier Island

One-off delegations to local boards from the Governing Body that are given on an ad hoc basis are not recorded in this policy.

There are currently no delegations in place from Auckland Transport to either the Governing Body or local boards.

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4.4 Decision-Making Responsibilities of Auckland Council's Governing Body and local boards

Allocation of decision-making for non-regulatory activities

The allocation of decision-making responsibility to the Governing Body and to local boards for the non-regulatory activities of Auckland Council is set out in the following tables. These will apply from 1 July 2021.

The allocation has been written on an inclusive basis. It does not contain an exhaustive list of all elements that make up an allocated activity. To aid interpretation, elements of the key decision-making responsibilities of local boards and the Governing Body are provided for each allocated activity.

It is intended that the allocation be interpreted on a principled basis. Given the broad range of activities undertaken by Auckland Council it is not possible to list in precise detail all elements that are allocated to a local board or the Governing Body. Instead the allocation is applied on a case-by-case basis.

This needs to take into account the principles of section 17 of the Local Government Auckland Council Act. The general principle is that a non-regulatory decision will be made by local boards unless the activity is such that decision-making on an Auckland-wide basis will better promote the well-being of the communities across Auckland.

Group of activities	Local Board non-regulatory responsibilities <i>Local boards are allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.</i>	Governing Body non-regulatory responsibilities <i>The Governing Body is allocated decision-making responsibility for the following non-regulatory activities of Auckland Council.</i>
Local council services and Regionally delivered council services	<p>Local governance including:</p> <ul style="list-style-type: none"> • decision-making and oversight of decisions on local activities • development of local policy positions such as determining areas in which activities may take place and local service specifications • submissions to government on legislation where it specifically relates to that local board area only • civic duties, engagements and functions in the local area, including citizenship ceremonies and recognition of volunteers. 	<p>Regional governance including:</p> <ul style="list-style-type: none"> • decision-making and oversight of decision on regional activities • submissions to government on legislation including official submissions of Auckland Council incorporating local board views • regional civic duties, engagements and functions.
<p>Explanatory notes:</p> <ul style="list-style-type: none"> • A local board does not have the power to make submissions or objections on matters where the council is exercising its regulatory responsibilities unless specifically delegated by the Governing Body. • Local boards have a statutory role identifying and communicating the interests and preferences of its communities in relation to policies, plans and bylaws. 		
<p>Local planning and development including:</p> <ul style="list-style-type: none"> • local place-shaping activities, including local leadership to create a local identity • local strategic visioning, policy making and planning within parameters set by regional strategies, policies and plans 		<p>Regional planning including:</p> <ul style="list-style-type: none"> • Auckland Plan, area plans, regional spatial priority areas and prioritised development areas focusing on growth development and key infrastructure priorities • regional strategies, policies and plans • Auckland-wide place-shaping activities, including regional leadership to create Auckland's identity.
<p><i>Street environment and town centres including:</i></p>		<p><i>Street environment and town centres including:</i></p>

Auckland Council 10-year Budget 2021-2031
Supporting Information

Item 10.1

Attachment B

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| <ul style="list-style-type: none"> • maintenance of the local street environment and local centres, within parameters set by the Governing Body • improvements to the local street environment and town centres excluding any improvements that are integral to centres prioritised for growth as set out in the Auckland Plan • naming of roads pursuant to section 319(1)(j) of the Local Government Act 1974. <p><i>Business area planning including:</i></p> <ul style="list-style-type: none"> • local economic development plans, projects and initiatives (including local centre branding and marketing and local business events) within parameters set by regional strategies, policies and plans • Business Improvement District (BID) programmes, including the strategic direction (in partnership with the business association), establishment of new BIDs within the parameters set by the BID policy and recommending BID targeted rates to the Governing Body. | <ul style="list-style-type: none"> • street environment and town centres strategy and policy, including the classification of town centres • centres that are prioritised for growth as set out in the Auckland Plan <p><i>Economic development including:</i></p> <ul style="list-style-type: none"> • regional economic development strategy and policy, such as Auckland economic development strategy, investment framework and BID policy • international relationships, including entering into new relationships and ending existing relationships • Auckland-wide economic development programmes and initiatives, including regional business events, and branding and marketing for the city centre, metropolitan centres and centres prioritised for growth as set out in the Auckland Plan. |
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Explanatory notes:

- Area plans will require a high degree of involvement **and formal endorsement by local boards. The adoption decision sits with Governing Body as it requires alignment and integration with other Governing Body responsibilities including regulatory plans, infrastructure prioritisation, asset and funding decisions.**
- Regional strategies and policies are not intended to be prescriptive or unduly restrict the decision-making role of local boards. Where they relate to local activities, they provide regional parameters within which local boards then make decisions on local activities.
- Development of the city centre waterfront is the responsibility of Panuku Development Auckland.
- Auckland Transport has significant decision-making responsibilities within the street environment and town centres.
- A number of agencies will be involved in the delivery of transformation programmes.
- Major events, tourism and visitor centres, and business attraction and development are the responsibility of Auckland Unlimited.

Local parks and community services including:

Arts and culture including:

- the specific location, design, build and fit out of new local arts and culture facilities within budget parameters agreed with the Governing Body
- the use of local arts and culture facilities, including changes of use.
- local arts and culture projects, initiatives and events

Regional parks and community services including:

Arts and culture including:

- any new arts and culture facilities acquired for an Auckland-wide purpose or function
- the number and general location of all new arts and cultural facilities and the prioritisation of major upgrades to all existing arts and culture facilities

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4.4 Decision-Making Responsibilities of Auckland Council's Governing Body and local boards

Item 10.1

Attachment B

<ul style="list-style-type: none"> local public artwork and local public art programmes local community funding and grants tailoring regional arts and culture programmes and events to local needs. 	<ul style="list-style-type: none"> the use of regional arts and culture facilities. regional arts and culture strategy and policy regional arts and culture programmes and events regional public artwork and regional public art programmes development, maintenance and access to the regional visual arts collection, including exhibitions and interpretive programmes region-wide community funding and grants regional arts and culture programmes, which can be tailored to local needs.
<p><i>Events including:</i></p> <ul style="list-style-type: none"> attraction, development, delivery and promotion sub-regional events which are the responsibility of the local board in which the event is located, in collaboration with other affected local boards local events sponsorship, funding and grants tailoring regional events programmes to local needs. 	<p><i>Events including:</i></p> <ul style="list-style-type: none"> regional events strategy and policy, including region-wide events plan coordinating regional events, including attraction, development, delivery and promotion regional events sponsorship, funding and grants regional events programmes, which can be tailored to local needs.
<p><i>Community development and facilities including:</i></p> <ul style="list-style-type: none"> plans, projects and initiatives specific to the local area tailoring region-wide community development and safety programmes to local needs facilitating community-led placemaking and development initiatives community advisory services local community funding and grants. the specific location, design, build and fit out of new local community facilities within budget parameters agreed with the Governing Body the use of local community facilities, including leasing and changes of use. 	<p><i>Community development and facilities including:</i></p> <ul style="list-style-type: none"> regional community development strategy and policy regional community development and safety programmes which can be tailored to local needs regional community funding and grants. the number and general location of all new community facilities and the prioritisation of major upgrades to all existing community facilities the location design and use of any new community facilities developed for an Auckland-wide purpose social housing, such as housing for the elderly.
<p><i>Libraries including:</i></p> <ul style="list-style-type: none"> the specific location, design, build and fit out of new local libraries within budget parameters agreed with the Governing Body the design and type of community facilities within local libraries the use of local libraries including local exhibitions, programmes and events within local libraries. 	<p><i>Libraries including:</i></p> <ul style="list-style-type: none"> libraries strategy and policy the number and general location of all new libraries and the prioritisation of major upgrades to existing libraries the libraries' collection policy and practice (including development and maintenance of all library collections) regional exhibitions, programmes and events within libraries the mobile library service the central library, other than the ground and first floors.

<p><i>Recreation facilities and initiatives including:</i></p> <ul style="list-style-type: none"> the specific location, design, build and fit out of new local recreation and sports facilities within budget parameters agreed with the Governing Body the use of local recreation facilities and initiatives including leasing and changes of use local recreation and sports programmes local community funding and grants tailoring regional recreation and sports programmes to local needs. 	<p><i>Recreation facilities and initiatives including:</i></p> <ul style="list-style-type: none"> any new recreational facilities developed for an Auckland-wide purpose or function the number and general location of all new recreation and sports facilities (including sports stadiums) and the prioritisation of major upgrades to all existing recreation and sports facilities the use of regional recreation and sports facilities (including sports stadiums) coordination of the use of recreation and sports facilities on a regional basis regional recreation and sports strategy and policy regional recreation and sports programmes, which can then be tailored to local needs regional community funding and grants
<p><i>Parks including:</i></p> <ul style="list-style-type: none"> the specific location of new local parks (including the prioritisation for acquisition) within budget parameters agreed with the Governing Body reserve management plans for local parks local parks improvements and place shaping the use of and activities within local parks, such as community events and community planting programmes cemeteries that are no longer in regular active use and are functioning as local parks naming of local parks. 	<p><i>Parks including:</i></p> <ul style="list-style-type: none"> any new parks acquired for an Auckland-wide purpose or function regional open space strategy and policy, including open space network plan and volcanic cones strategy reserve management plans for regional parks the number and general location of all new parks and the prioritisation of major upgrades to existing parks (including sports fields within parks) the use of and activities within regional parks coordination of the use of all sports fields on a regional basis Open cemeteries.
<p><i>Explanatory notes:</i></p> <ul style="list-style-type: none"> Definitions of local and regional events are set out in schedule 2 in accordance with the Auckland Council Events Policy. Regional sports facilities and regional events facilities and amenities are the responsibility of Auckland Unlimited. These include the Viaduct Events Centre, stadium management, The EDGE, Auckland Zoo and the Auckland Art Gallery. <u>The decision-making of local boards in relation to local parks may be constrained where decisions relate to council stormwater management activities, including the stormwater network.</u> 	
<p>Local environmental management including:</p> <ul style="list-style-type: none"> local environmental initiatives and projects facilitating community-led placemaking and development initiatives 	<p>Waste services and Environmental services including:</p> <ul style="list-style-type: none"> regional environmental, heritage and urban design strategy, policy and guidelines regional environmental programmes and projects

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	<ul style="list-style-type: none"> local stormwater quality projects within regional frameworks local waste management plans and projects within regional parameters set out in the Waste Minimisation and Management Plan. 	<ul style="list-style-type: none"> waste management, including the Waste Minimisation and Management Plan landfill management environmental research and monitoring.
Stormwater		<p>Stormwater management including:</p> <ul style="list-style-type: none"> the stormwater network, including catchment management plans, the Te Arai Drainage District, the Okahuhura Drainage Area and the Giori Drainage District (located in Rodney Local Board)

	<p><u>Explanatory notes:</u></p> <ul style="list-style-type: none"> <u>Local board input into regional environmental programmes is provided for at the programme approval stage. The prioritisation of projects within these regional programmes will be guided by the approved programme direction and ecological considerations. Where projects are to be delivered locally, local board input will be invited to ensure the projects are tailored to local circumstances.</u>
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Relevant to each group of activities/ area	Local board non-regulatory responsibilities	Governing Body non-regulatory responsibilities
<i>Fees and charges</i>	Setting of fees and charges for local activities excluding: <ul style="list-style-type: none"> library collections fees and charges; and any fees and charges for local activities that are set on a region-wide basis by the Governing Body in a regional policy. 	Setting of fees and charges for regional activities and: <ul style="list-style-type: none"> regional fees and charges for local activities that are set by the Governing Body in a regional policy library collections fees and charges.
<i>Service specifications</i>	Setting of service specifications for local activities subject to any minimum service specifications that the Governing Body has decided, for policy reasons, to set on an Auckland-wide basis.	Setting of service specifications for regional activities and minimum service specifications for local activities where the Governing Body decides to do so for policy reasons.
<i>Procurement</i>	Procurement for local activities excluding: <ul style="list-style-type: none"> procurement of major service delivery contracts (such as maintenance, security and cleaning contracts) for Auckland-wide local assets and facilities on a coordinated basis. 	Procurement for regional activities and <ul style="list-style-type: none"> procurement of major service delivery contracts (such as maintenance, security and cleaning contracts) for Auckland-wide local assets and facilities on a coordinated basis the procurement policy for Auckland Council.
	<p><u>Explanatory notes:</u></p> <ul style="list-style-type: none"> There are significant efficiencies to be gained by the Governing Body procuring some contracts on a larger scale or a coordinated basis. This is likely to cover areas like parks and facilities maintenance, security and cleaning, which involve local and regional assets and facilities across Auckland. (The guidelines for procuring these types of contracts will be 	

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Relevant to each group of activities/ area	Local board non-regulatory responsibilities	Governing Body non-regulatory responsibilities
	<p>contained in the procurement manual. Procurement for most local activities will though, remain a local board decision-making responsibility).</p> <ul style="list-style-type: none"> Local boards will set the service specifications as they relate to their local area as set out in the allocation above. 	
<i>Asset renewal</i>	<p>Maintaining service capacity and integrity of local assets throughout their useful life in accordance with Auckland-wide parameters and standards set by the Governing Body.</p> <p><i>Explanatory note:</i></p> <ul style="list-style-type: none"> The local board's asset renewal decision-making responsibility is within the framework and standards set by the Governing Body to ensure regional consistency 	<p>Maintaining the service capacity and integrity of regional assets throughout their useful life and setting Auckland-wide parameters and standards for all asset management planning.</p>
<i>Other activities of Auckland Council</i>		All other non-regulatory activities of Auckland Council
<p><i>Explanatory note:</i></p> <ul style="list-style-type: none"> An assessment of the principles for allocating non-regulatory decisions set-out in section 17 of the Local Government Auckland Council Act must be considered before applying this allocation 		

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4.4 Decision-Making Responsibilities of Auckland Council's Governing Body and local boards

Schedule 1- Governance of parks

1. The Governing Body has governance responsibility for the following regional parks and contiguous land.

Regional Parks		
Auckland Council has classified the following as regional parks:		
Ambury	Scandrett	
Ātiu Creek	Shakespear	
Auckland Botanic Gardens	Tāpapakanga	
Āwhitu	Tāwharanui	
Duder	Tawhitokino	
Glenfern Sanctuary	Te Ārai	
Hūnua Ranges	Te Muri	
Long Bay	Te Rau Pūriri	
Mahurangi	Waharau	
Motukorea / Browns Island	Waitākere Ranges	
Muriwai (excluding Muriwai Village Green)	Waitawa	
Mutukaroa / Hamlins Hill	Wenderholm	
Ōmana	Whakanewha	
Ōrere Point	Whakatūwai	
Pakiri		
Te Motu a Hiaroa / Puketutu		
Land contiguous with Regional Parks		
Relevant Regional Park	For the avoidance of doubt, land listed below is part of the adjacent regional park	
Long Bay	Piripiri Park	Section 1 SO 70452
Mahurangi	Scott Point Reserve, Te Kapa Peninsula	Lot 15 DP 44711
		Sec 216 Mahurangi Village SO 43441
		Lot 14 DP 44711
Muriwai	Oaia Reserve, Muriwai	Lot 11 DP 58521
Te Ārai	Te Ārai Reserve	Lot 1 DP 66227
		Lot 1 DP 59556
Waitākere Ranges	Mārama Plantation Reserve, Little Huia	Lot 12 DP 27798
	Douglas Scenic Reserve	Lot 31 DP 77453
	Rāroa Park	Lot 100 DP 21358
	Parkland surrounding Waitākere Quarry Scenic Reserve	Lot 2 DP 193044
	Karekare Reserve	Lot 31 DP 40109
	Lone Kauri Road – 3 reserves	Lot 99 DP 42402
		Lot 106 DP 42402
		Lot 107 DP 42402
South Piha Plantation Reserve	Lot 77 DP 31268	

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Regional Parks		
	Lake Wainamu Scenic Reserve	Section 3 Block 1/Waitakere SD/
	Tasman View Esplanade	Lot 90 DP 42223
	Lake Wainamu Walkway	Pt Waitakere 1A (Easement over lake edge only)
	Waitoru Reserve, Bethells Rd	Pt Allotment 5 PSH OF Waitakere
Whakanewha	Upland Road Walkway	Lot 489 DP 20610 Pt Whakanewha Block

2. Tūpuna Maunga o Tāmaki Makaurau Authority (Maunga Authority) has governance decision-making responsibility for the following maunga

Parks under the administration of the Maunga Authority
Matukutūruru / Wiri Historic Reserve
Maungakiekie / One Tree Hill
Maungarei / Mt Wellington
Maungauika (North Head)
Maungawhau / Mt Eden
Ōhinerau / Mt Hobson
Ōhūiarangi / Pigeon Mountain
Ōtāhuhu / Mt Richmond
Ōwairaka / Te Ahi-kā-a-Rakataura / Mount Albert
Puketāpapa / Pukewhī / Mount Roskill
Takarunga / Mount Victoria
Te Kōpuke / Tītīkōpuke / Mount St John
Te Pane-o-Mataaho / Te Ara Pueru / Māngere Mountain
Te Tātua a Riukiuta / Big King

Note: ownership of Maungakiekie / One Tree Hill Northern land remains with the Crown and it is administered by the Maunga Authority under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 and the Reserves Act 1977.

3. Post settlement governance entities have governance responsibility for the following reserves.

Park name	Governance entity	Relevant legislation
Kaipātiki (formerly Parakai Recreation Reserve)	Te Poari o Kaipātiki ki Kaipara (formerly Parakai Recreation Reserves Board)	Ngāti Whātua o Kaipara Claims Settlement Act 2013
Whenua Rangatira and Pourewa Creek Recreation Reserve	Ngāti Whātua o Ōrākei Reserves Board	Ngāti Whātua Ōrākei Claims Settlement Act 2012

4. The Governing Body has responsibility for the majority of land contiguous to Tūpuna Maunga governed by the Maunga Authority. The Ngā Mana Whenua o Tāmaki Makaurau Redress Act 2014 provides for the transfer of administration by the council of these lands to the Maunga Authority at the discretion of the Governing Body.

Land contiguous with parks subject to Treaty of Waitangi settlement	
Park subject to Treaty of Waitangi Settlement	Contiguous council owned land allocated to the Governing Body
Maungawhau / Mt Eden	Lot 1 DP 131932
Maungarei / Mt Wellington	Lot 200 DP 436081

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Land contiguous with parks subject to Treaty of Waitangi settlement

Ōhinerau / Mt Hobson	Pt Allotment 2 SECT 11 SBRS OF Auckland
Ōhūiarangi / Pigeon Mountain	Lot 182 DP 98841
	Lot 183 DP 98841
	Section 1 SO 434440
	Section 2 SO 434440
	Section 3 SO 434440
	Allotment 19 SECT 5 SM FMS NEAR Howick

Land contiguous with parks subject to Treaty of Waitangi settlement

Ōtāhuhu / Mt Richmond	Lot 1 DP 47429
	Lot 2 DP 47429
	Lot 3 DP 47429
	Lot 4 DP 47429
	Lot 5 DP 47429
	Lot 6 DP 47429
	Lot 7 DP 47429
	Lot 8 DP 47429
	Pt Lot 10 DP 47429
Ōwairaka / Te Ahi-kā-a-Rakataura / Mount Albert	Lot 29A DP 17682
	Lot 19 DP 58177
	Lot 59 DP 16603
Te Kōpuke / Titikōpuke / Mount St John	Lot 1 DP 334602
	Lot 2 DP 413830
	Lot 13 DP 20564
	Lot 2 DP 35331
Te Tātus a Riukiuta / Big King	Lot 4 DP 44196
	Lot 3 DP 44196
	Lot 5 DP 108794
	Lot 4 DP 21107
	Lot 5 DP 108794
	Lot 1 DP 108794
Pt Allotment 80 SECT 10 SBRS of Auckland	

5. Other parks of regional significance

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Other parks subject to special arrangements due to their regional significance	
<u>Auckland Domain</u>	<u>Decision making allocation for Auckland Domain is geographically split, with the Waitemata Local Board being allocated responsibility for the playing fields areas and two community recreational leases (Auckland Bowling Club and Parnell Tennis Club), and the balance of land within Auckland Domain being allocated to the Governing Body. The Waitematā Local Board and the Governing Body have delegated decision making to the Auckland Domain Committee, a joint governance committee of the Waitematā Local Board and Governing Body.</u>
<u>Colin Dale Park</u>	<u>Decision making allocation for Colin Dale Park is geographically split, with Governing Body being allocated the responsibility for the motorsport precinct (44.3052ha) and Ōtara-Papatoetoe Local Board allocated responsibility for the land zoned for community use (10.1355ha)</u>

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Schedule 2 - Auckland Council Events Policy categories

The Events Policy identifies three categories of events, local, regional and major.

Local events - An event is considered to be a local activity governed by local boards unless it meets the criteria for a regional or major event as defined in this policy.

Regional and major events - An event must demonstrate the strategic outcomes, appeal, profile and economies of scale to be categorised a regional or major event as defined in the table below. It will have most, if not necessarily all, of the distinguishing characteristics below.

Event Category	Strategic Outcomes	Appeal – breadth and depth of the event	Profile	Regional Coordination
Regional	<ul style="list-style-type: none"> delivers regional objectives set by the Governing Body helps deliver on Auckland-wide strategies such as for sport and recreation, arts and culture offers a distinctive event proposition for the region. 	<ul style="list-style-type: none"> demonstrates it draws from a regionally-distributed audience e.g. appeals to a specific demographic or interest group that is geographically dispersed across the region demonstrates a size and scale that is regionally significant. 	<ul style="list-style-type: none"> has region-wide and maybe national profile, demonstrated through media and wide public awareness. 	<ul style="list-style-type: none"> demonstrates clear benefits of decisions being coordinated at a region-wide level only if the nature of the event is such that decision-making on an Auckland-wide basis will better promote community well-being across Auckland e.g. delivered in multiple locations across the region, ensuring regional distribution, ability to attract sponsorship, region-wide marketing and promotion.
Major	<ul style="list-style-type: none"> delivers economic development outcomes delivers significant economic return on investment provides measureable economic benefits such as significant increase in visitor nights. 	<ul style="list-style-type: none"> appeals to regional, national and international audiences and participants a large mass appeal social event that is distinctive to Auckland. 	<ul style="list-style-type: none"> has regional, national and international profile. 	

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