

I hereby give notice that an ordinary meeting of the Māngere-Ōtāhuhu Local Board will be held on:

**Date:** Wednesday, 17 April 2024  
**Time:** 5:00 pm  
**Meeting Room:** Māngere-Ōtāhuhu Local Board Office  
**Venue:** Shop 17B  
93 Bader Drive  
Māngere

---

## Māngere-Ōtāhuhu Local Board

### OPEN AGENDA

---

#### MEMBERSHIP

<b>Chairperson</b>	Tauanu'u Nick Bakulich
<b>Deputy Chairperson</b>	Harry Fatu Toleafoa
<b>Members</b>	Joe Glassie-Rasmussen Makalita Kolo Christine O'Brien Papaliitele Lafulafu Peo, JP Togiatolu Walter Togiamua

(Quorum 4 members)

**Jacqueline Robinson**  
**Democracy Advisor**

**12 April 2024**

Contact Telephone: (09) 262 5283  
Email: [jacqui.robinson@aucklandcouncil.govt.nz](mailto:jacqui.robinson@aucklandcouncil.govt.nz)  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)



<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
1	Nau mai   Welcome	5
2	Ngā Tamōtanga   Apologies	5
3	Te Whakapuaki i te Whai Pānga   Declaration of Interest	5
4	Te Whakaū i ngā Āmiki   Confirmation of Minutes	5
5	He Tamōtanga Motuhake   Leave of Absence	5
6	Te Mihi   Acknowledgements	5
7	Ngā Petihana   Petitions	5
8	Ngā Tono Whakaaturanga   Deputations	5
	8.1 Deputation - Mapu Maia Pacifica Health Services	6
	8.2 Deputation - Pacific Boxing Academy	6
	8.3 Deputation - LIA Social Solutions	6
9	Te Matapaki Tūmatanui   Public Forum	7
	9.1 Louisa Lavakula - Niuean Returned Servicemen Association	7
10	Ngā Pakihi Autaia   Extraordinary Business	7
11	Governing Body member Update	8
12	Local Board Leads and Appointments Report	9
13	Chairperson's Report	13
14	Review of the allocation table recording the allocation of decision-making responsibility for non-regulatory activities	15
15	Hōtaka Kaupapa / Governance Forward Work Calendars	31
16	Record of Māngere-Ōtāhuhu Local Board Workshop Notes	35
17	Te Whakaaro ki ngā Take Pūtea e Autaia ana   Consideration of Extraordinary Items	



**1 Nau mai | Welcome**

**2 Ngā Tamōtanga | Apologies**

At the close of the agenda no apologies had been received.

**3 Te Whakapuaki i te Whai Pānga | Declaration of Interest**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

**4 Te Whakaū i ngā Āmiki | Confirmation of Minutes**

That the Māngere-Ōtāhuhu Local Board:

- a) whakaū / confirm the ordinary minutes of its meeting, held on Wednesday, 20 March 2024, including the confidential section, as a true and correct record.

**5 He Tamōtanga Motuhake | Leave of Absence**

At the close of the agenda no requests for leave of absence had been received.

**6 Te Mihi | Acknowledgements**

The Board congratulates the Tūpuna Maunga Authority, who have been awarded the Recreation Aotearoa Whāiao Māori – Māori Outcomes Award 2024, for the Whānau Ātea at Te Pane o Mataoho / Te Ara Pueru / Māngere Mountain.

**7 Ngā Petihana | Petitions**

At the close of the agenda no requests to present petitions had been received.

**8 Ngā Tono Whakaaturanga | Deputations**

Standing Order 7.7 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Māngere-Ōtāhuhu Local Board. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

### 8.1 Deputation - Mapu Maia Pacifica Health Services

#### Te take mō te pūrongo

#### Purpose of the report

1. Anthony Leaupepe and Efarina Sititi from Mapu Maia, a Pacifica NGO, will be in attendance to share the work they do and services they provide in the community.

#### Ngā tūtohunga

#### Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whakamihi / thank Anthony Leaupepe and Efarina Sititi for their attendance and presentation.

### 8.2 Deputation - Pacific Boxing Academy

#### Te take mō te pūrongo

#### Purpose of the report

1. Jeff Elia, founder of the Pacific Boxing Academy, will be in attendance to talk about setting up a boxing centre in the local board area.

#### Ngā tūtohunga

#### Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whakamihi / thank Jeff Elia for his attendance and presentation.

### 8.3 Deputation - LIA Social Solutions

#### Te take mō te pūrongo

#### Purpose of the report

1. Stuart Ramsay, CEO of LIA Social Solutions will be in attendance to update the Board about the organisation and its work, which is a requirement of the leasing/tenancy agreements with Council.

#### Ngā tūtohunga

#### Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whakamihi / thank Stuart Ramsay for his attendance and presentation.

## 9 Te Matapaki Tūmatanui | Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of three minutes per speaker is allowed, following which there may be questions from members.

### 9.1 Louisa Lavakula - Niuean Returned Servicemen Association

#### Te take mō te pūrongo

#### Purpose of the report

1. Louisa Lavakula will be in attendance to talk about plans for a Niuean Returned Servicemen memorial.

#### Ngā tūhonga

#### Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whakamihi / thank Louisa Lavakula for her attendance and public forum presentation.

## 10 Ngā Pakihi Autaia | Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

## Governing Body member Update

File No.: CP2024/00243

Item 11

### Te take mō te pūrongo Purpose of the report

1. A period of time (10 minutes) has been set aside for the Manukau Ward Councillors to have an opportunity to update the Māngere-Ōtāhuhu Local Board on regional matters.

### Ngā tūtohunga Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whiwhi / receive the verbal reports from the Manukau Ward Councillors.

### Ngā tāpirihanga Attachments

There are no attachments for this report.

### Ngā kaihaina Signatories

Author	Jacqueline Robinson - Democracy Advisor
--------	---



## Local Board Leads and Appointments Report

File No.: CP2024/03955

### Te take mō te pūrongo

#### Purpose of the report

- To allow the local board members an opportunity to present verbal and written updates on their lead roles, such as relevant actions, appointments and meetings.
- To make any appointments to vacant positions.

### Whakarāpopototanga matua

#### Executive summary

- Members have an opportunity to update the board on their activities as topic area leads.
- The table below outlines the current leads and alternates for topic areas of local board business meetings and organisations on which the board is represented through a formal appointment.

Topic Area	Lead	Alternate
Social Impact Fund Allocation Committee Appointments Committee	Tauanu'u Nanai Nick Bakulich	1st half of the term: Harry Fatu Toleafoa 2nd half of the term: Togiatolu Walter Togiamua
Staff consultation over landowner approval applications (excluding applications for filming and events)	Tauanu'u Nanai Nick Bakulich	Joe Glassie-Rasmussen
Staff consultation on applications for filming	Christine O'Brien	Makalita Kolo
Liquor licence matters, to prepare and provide objections, if any, and speak to any local board views at any hearings on applications for liquor licences	Tauanu'u Nanai Nick Bakulich	Joe Glassie-Rasmussen
Resource consent matters to: <ol style="list-style-type: none"> <li>provide the local board views, if any, on whether a resource consent should proceed as a non-notified, limited notified or fully notified application</li> <li>prepare and provide local board's views, if any, on notified resource consents and speak to those views at any hearings if required</li> <li>provide the local board's views on matters relating to or generated by the COVID-19 (Fast-track Consenting) Act 2020 while this legislation remains in force</li> </ol>	1st half of the term: Harry Fatu Toleafoa 2nd half of the term: Togiatolu Walter Togiamua	Christine O'Brien
Local Government New Zealand Auckland Zone	Tauanu'u Nanai Nick Bakulich	1st half of the term: Harry Fatu Toleafoa

Item 12

		2nd half of the term: Togiatolu Walter Togiamua
Select shared representatives to council working groups, working parties and other internal bodies, where there is a limited number of local board representatives to be selected from amongst all 21 or clusters of local boards	Tauanu'u Nanai Nick Bakulich	
Manukau Harbour Forum joint committee	Togiatolu Walter Togiamua	Papaliitele Lafulafu Peo
Ara Kōtui (formerly Māori input into local board decision-making political steering group)	Togiatolu Walter Togiamua	Joe Glassie-Rasmussen
Staff consultation on applications for events and other activities on local parks and local facilities that also require regulatory approval, or may involve reputational, financial, performance or political risk	Christine O'Brien	Tauanu'u Nanai Nick Bakulich
Approve the local board's input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils, when timeframes do not allow for local board input to be considered and approved at a local board meeting	Tauanu'u Nanai Nick Bakulich	1st half of the term: Harry Fatu Toleafoa 2nd half of the term: Togiatolu Walter Togiamua
Infrastructure and Environmental Services	Togiatolu Walter Togiamua	Harry Fatu Toleafoa
Arts, Community and Events (including libraries)	Christine O'Brien	Tauanu'u Nanai Nick Bakulich
Parks, Sport and Recreation and Community Facilities	Tauanu'u Nanai Nick Bakulich	Christine O'Brien
Local planning, housing, and heritage – includes responding to resource consent applications on behalf of board	1st half of the term: Harry Fatu Toleafoa 2nd half of the term: Togiatolu Walter Togiamua	1st half of the term: Togiatolu Walter Togiamua 2nd half of the term: Harry Fatu Toleafoa
Transport	Tauanu'u Nanai Nick Bakulich	1st half of the term: Harry Fatu Toleafoa 2nd half of the term: Togiatolu Walter Togiamua
Economic development	Harry Fatu Toleafoa	Makalita Kolo
Youth, Children, Seniors and Uniquely Abled	Harry Fatu Toleafoa	Papaliitele Lafulafu Peo
Water care COMMUNITY	Togiatolu Walter Togiamua	Papaliitele Lafulafu Peo
Auckland Airport Community Trust for Aircraft Noise Community Consultative Group	Tauanu'u Nanai Nick Bakulich	Joe Glassie-Rasmussen
Ambury Park Centre	Papaliitele Lafulafu Peo	Christine O'Brien
Department of Corrections - Community Impact Forum for	Makalita Kolo	Papaliitele Lafulafu Peo

Kohuora Corrections Facility		
Māngere Bridge Business Association	Tauanu'u Nanai Nick Bakulich	Christine O'Brien
Māngere East Village Business Association	Joe Glassie-Rasmussen	Togiatolu Walter Togiamua
Māngere Mountain Education Trust	Togiatolu Walter Togiamua	Makalita Kolo
Māngere Town Centre Business Association	Makalita Kolo	Papaliitele Lafulafu Peo
Ōtāhuhu Business Association	Christine O'Brien	Tauanu'u Nanai Nick Bakulich
Ōtāhuhu Portage Project Steering Group	Papaliitele Lafulafu Peo	Christine O'Brien
Ōtāhuhu Town Hall Community Centre Incorporated Society joint committee	Makalita Kolo	Harry Fatu Toleafoa
South Harbour Business Association	Harry Fatu Toleafoa	Papaliitele Lafulafu Peo
Tāmaki Estuary Environmental Forum	Togiatolu Walter Togiamua	Makalita Kolo
Te Pūkaki Tapu O Poutukeka Historic Reserve & Associated Lands Co-Management Committee	Togiatolu Walter Togiamua	Joe Glassie-Rasmussen
<p>Te Pūkaki Tapu o Poutūkeka Co-Management Committee. MO/2023/187</p> <p>c) delegate authority to the Chair of the Māngere-Ōtāhuhu Local Board to agree changes of a minor nature to the Te Pūkaki Tapu o Poutūkeka Co-management Agreement in Attachment A of the agenda report, in consultation with Te Ākitai Waiohua / Pūkaki Māori Marae Committee</p> <p>d) tautapa / delegate authority to the Chair of the Māngere-Ōtāhuhu Local Board and the Auckland Council chief executive to sign on behalf of Auckland Council the Te Pūkaki Tapu o Poutūkeka Co-management Agreement in Attachment A of the agenda report</p> <p>g) kōupou / appoint the Chairperson of the Māngere-Ōtāhuhu Local Board as an additional member to Te Pūkaki Tapu o Poutūkeka Co-management Committee, to come into effect on agreement with Te Ākitai Waiohua / Pūkaki Māori Marae Committee on a total Co-management</p>	Tauanu'u Nanai Nick Bakulich	

committee membership of six		
The Southern Initiative (TSI) Steering Group	Harry Fatu Toleafoa	Joe Glassie-Rasmussen

## Ngā tūtohunga Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whiwhi / receive the verbal and written reports from local board members.

## Ngā tāpirihanga Attachments

There are no attachments for this report.

## Ngā kaihaina Signatories

Author	Jacqueline Robinson - Democracy Advisor
--------	---

---

## Chairperson's Report

File No.: CP2024/03956

---

### Te take mō te pūrongo Purpose of the report

1. This item gives the chairperson an opportunity to update the board on any announcements.

### Ngā tūtohunga Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whiwhi / receive the chairperson's verbal and written report.

### Ngā tāpirihanga Attachments

There are no attachments for this report.

### Ngā kaihaina Signatories

Author	Jacqueline Robinson - Democracy Advisor
--------	---



# Review of the allocation table recording the allocation of decision-making responsibility for non-regulatory activities

File No.: CP2024/04202

## Te take mō te pūrongo Purpose of the report

1. To seek local board input into the current review of the allocation table, which records the allocation of decision-making responsibility for non-regulatory activities.

## Whakarāpopototanga matua Executive summary

2. The “Decision-making responsibilities of Auckland Council’s Governing Body and local boards” document (Attachment A) records the allocation of decision-making responsibilities for the non-regulatory activities of Auckland Council, as determined by the Governing Body. This document is also sometimes referred to as the “allocation table”.
3. The allocation table is being routinely reviewed as part of the Long-term Plan 2024-2034 process. In 2022, the allocation table was substantially reviewed to give local boards increased decision-making powers.
4. There does not appear to be any need for substantive changes to the allocation table at this time. Feedback suggests that some parts of the current allocations are not clear, and minor amendments can be made to support a better understanding of the respective governance roles and responsibilities between the Governing Body and local boards.
5. However, there is work needed on implementation actions to support the organisation to give better effect to the shared governance model. This is being advanced through the Joint Governance Working Party’s (JGWP) enquiry into the Mayor’s proposal for more empowered local boards.
6. Local boards are being asked to provide feedback on the review of the allocation table that will go to the Governing Body for consideration, prior to being adopted for inclusion in the Long-term Plan 2024-2034.

## Ngā tūtohunga Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) whakarite / provide its input into the current review of the allocation table, recording the allocation of decision-making responsibility for non-regulatory activities.

## Horopaki Context

7. The Local Government (Auckland Council) Act 2009 (LGACA) provides that both the Governing Body and local boards are responsible and democratically accountable for the decision-making of Auckland Council, and that where responsibility rests depends on the nature of the decision being made.
8. Section 15 of LGACA sets out the classes of decisions that the Governing Body make, and section 16 sets out the classes of decisions that local boards make. Both sections include a

class of decisions in respect of non-regulatory activities of the council. LGACA requires that the Governing Body allocate decision-making responsibility for these non-regulatory decisions to either itself or local boards in accordance with the principles set out in section 17.

9. The “Decision-making responsibilities of Auckland Council’s Governing Body and local boards” (also known as the “allocation table”) records the allocation of decision-making responsibilities for the non-regulatory activities of Auckland Council, as determined by the Governing Body. The allocation table is included in the long-term plan and each year’s annual plan. The current allocation table is attached at Attachment A.
10. The overarching intent of the document is to empower local boards to make decisions that reflect the needs and preferences of diverse local communities while ensuring that the Governing Body is able to fulfil its statutory decision-making responsibilities and make decisions regionally, where to do so will better promote the well-being of communities across Auckland.
11. The allocation table is not intended to be an exhaustive list of all allocated decision-making because of the broad range of Auckland Council’s activities and the nuances within those. Allocation of decision-making is therefore applied on a case-by-case basis, with the allocation table used as a starting point.
12. The allocation table was last reviewed in 2022 where substantial updates were made to provide local boards with increased decision-making powers, in alignment with the Governance Framework Review work.
13. The allocation table is routinely reviewed as part of every long-term plan process and included in the final long-term plan. However, changes to decision-making responsibilities can be made at any time via a new allocation decision (by the Governing Body) or a delegation.

### Empowering Local Boards

14. Consequently, allocated decision-making will continue to be considered in the context of the “More Empowered Local Boards” workstream, which is being led by the Joint Governance Working Party (JGWP) and reported recently to local boards. This recognises that empowerment includes allocated decision-making, but that there are other levers to consider, including:
  - delegated and statutory decision-making powers
  - how well information and advice enable governors to utilise their powers
  - the skills and knowledge staff need to give effect to the governance model
  - whether updates are required to other policies, systems and processes to reflect more empowered local boards.
15. Local boards resolved their feedback related to empowerment at their March business meetings and this will be reported to the JGWP’s 6 May meeting. Feedback related to the allocation of decision-making responsibility will be considered within the scope of this current review.

## Tātaritanga me ngā tohutohu Analysis and advice

16. Informal feedback on the current allocation table from elected members and relevant business units was used to identify the scope of the review. Feedback suggests that the allocation table is still leading to confusion around governance roles and responsibilities. In practice many activities require both regional and local decisions, and there is actual and perceived complexity in giving effect to allocated decision-making.



17. Aside from an anomaly related to disposal decisions, the current review does not recommend any substantive changes to decision-making allocation. Some amendments are proposed to the text to help aid interpretation and flow. These include:
  - refining the introductory text
  - minor wording amendments to help make more explicit the governance roles and responsibilities
  - closely aligning activity descriptions to the Groups of Activities in the long-term plan.
18. A key focus is on implementing the allocation table to help the organisation give better effect to allocated decision-making in practice. This includes:
  - reviewing other relevant documents that may require updates
  - considering training and guidance needs for staff
  - awareness raising through communications and engagement.
19. Local board delegations are also scheduled to be reviewed separately.

**Further consideration is required for some parks disposals**

20. An issue has been raised with decision-making around some parks disposals. Table 1 shows the current position in terms of decision-making around different types of parks-related decisions.

*Table 1: Decision-making responsibility for asset acquisitions and disposals*

Type of decision	Current decision-maker	Basis for decision-making	Current constraints / process
Acquisition			
Acquisition of local community assets (e.g. local parks, local community facilities)	Local boards	Allocation	Subject to budget parameters agreed with Governing Body
Acquisition of regional assets (e.g. stormwater assets, regional parks, regional facilities)	Governing Body	Allocation	Decisions made by relevant committee (as per GB terms of reference)
Disposal			
Disposal as part of land exchange	<i>Needs to be clarified</i>		
Disposal of service properties	Local boards	Delegation (from GB – statutory responsibility)	Service property optimisation framework
Disposal of non-service properties	Governing Body	Statutory responsibility	Asset recycling programme

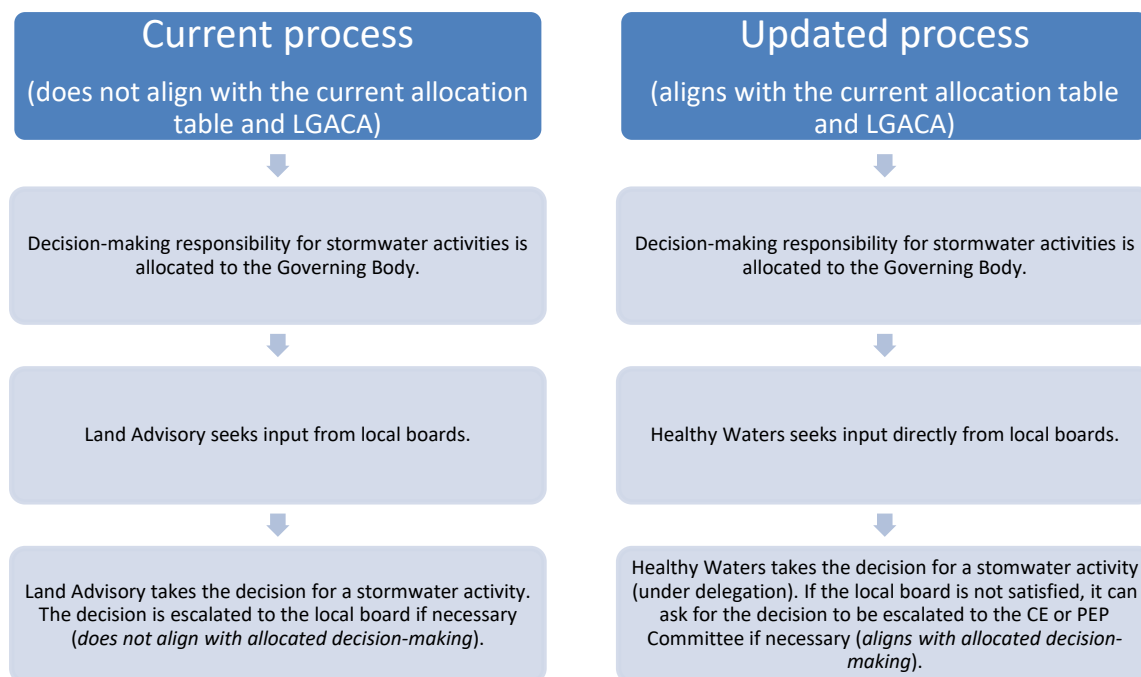
21. The report to the Governing Body in 2021 [GB/2021/67] provided the policy intent of the changes to the current allocation table which was to allow local boards to make decisions relating to acquisition of new assets.
22. Historically, disposal decisions have been treated as sitting with the Governing Body (as a statutory responsibility). But this is difficult in practice where local boards make acquisition decisions as part of a land exchange, but not the related disposal decision.

23. Work is underway to consider whether, from a policy perspective, local boards should be able to make both the acquisition and disposal decision as part of land exchanges, and whether this should be allocated or delegated.

**Clarifying decision-making over stormwater activities in relation to local parks activities**

24. Current landowner approvals processes for council-led stormwater activities do not align with the existing allocation table and the LGACA. This has contributed to inefficiencies where a part of council wants to undertake a stormwater activity on council land.
25. Council’s stormwater, flood resilience and water quality activities are generally regional in nature. As per the current allocation table, decision-making for all these activities sits with the Governing Body to ensure a coordinated, consistent approach across the network and integration with other regulatory related decisions. This position remains the same regardless of how the land is held – whether as a regional or local asset.
26. Under the allocation table, local boards are allocated decision-making responsibilities for local parks. Staff are not proposing any changes to the allocated responsibilities of local boards and consider that the explanatory note in the allocation table adequately explains how the overlap in responsibilities will be managed. This states “[t]he 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”.
27. Under the local board delegation protocols, Land Advisory staff have been delegated responsibility for land use consents. Staff have interpreted this mandate to be broad, because of the broad responsibilities of local boards for determining ‘use of and activities within local parks’. The delegation protocols require that staff consult with local boards before making these decisions and refer the matter to them if the local board calls the delegation in as the “landowner”.
28. However, this is contrary to the LGACA, where decision-making responsibilities are allocated for particular activities (as opposed to categories of land) and the land remains owned by Auckland Council.
29. Therefore, in line with the allocation table, Healthy Waters, instead of Land Advisory, will now seek the views of local boards before taking a decision on whether to proceed with the proposed stormwater works. The experience of local boards should not be different to consultations over landowner approval applications. The only difference will be the local board’s ability to ‘call in’ a decision.
30. This revised process is consistent with the allocation of decision-making responsibility for stormwater activities to the Governing Body (and Healthy Waters under delegation).
31. When a stormwater activity is proposed to occur on a local park, staff will carefully consider the views and preferences of local boards and will be mindful of other local activities on parks when making decisions, consistent with the process previously undertaken by Land Advisory. Similarly, there is still potential for escalation of decision-making where the proposal is not supported by the relevant local board. Diagram 1 outlines this process.

Diagram 1: Decision-making process for stormwater activities



32. Staff recommend that this process be reviewed with local boards in six months' time. Any issues arising will be considered through the next annual review of the allocation table or, through the local board delegation protocols which are due to be reviewed later this year.

### Tauākī whakaaweawe āhuarangi Climate impact statement

33. There are no climate impacts associated with local boards providing their feedback.
34. Climate impacts for individual decisions by way of the application of non-regulatory decision-making are determined on a case-by-case basis.

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

35. Feedback was sought from relevant business units who give effect to the allocation of non-regulatory activities through provision of advice.
36. Key themes from their feedback are as follows:
- The need to be more explicit on the extent of the local board / Governing Body role, where there are overlaps and limitations are not made clear.
  - Some activities could be further specified e.g. priority locations for development, place-shaping vs place-making etc.
  - Work to ensure staff understand where decision-making responsibility sits, and how best to give effect to the shared governance principles in practice.
  - More guidance and definitions would help to understand the nature of decision-making.

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

37. Local board views are being sought through this report.

38. Local impacts for individual decisions by way of the application of non-regulatory decision-making are determined on a case-by-case basis.

### Tauākī whakaaweawe Māori Māori impact statement

39. There are no Māori impacts associated with local boards providing their feedback.
40. Māori impacts for individual decisions by way of the application of non-regulatory decision-making are determined on a case-by-case basis.

### Ngā ritenga ā-pūtea Financial implications

41. There are no financial implications associated with local boards providing their feedback.
42. Financial implications for individual decisions by way of the application of non-regulatory decision-making are determined on a case-by-case basis.

### Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

43. There are limited risks associated with local boards providing their feedback. The main risks are outlined in Table 2 below.

Table 2: Risk identification and mitigation

Main risks	Consequence	Likelihood	Comments and risks management strategies
Delay in adoption of the refreshed allocation table	Medium	Low	The allocation table must be adopted by the Governing Body by the end of May to meet the LTP timeframes. Careful project management is in place to ensure milestones are met.
Local boards are not satisfied with the scope of their decision-making powers	Medium	Medium	Local board views will continue to be considered as part of the “Empowering Local Boards” workstream. A range of levers will be considered as to how to empower local boards. This includes, but is not limited to, allocated decision-making.

### Ngā koringa ā-muri Next steps

44. Local board feedback will be assessed to inform final recommendations on the review of the allocation table.
45. All feedback will be reported to the Governing Body for their consideration, before the Governing Body is asked to adopt the refreshed allocation table at their meeting on 30 May.
46. The allocation table will be included in volume two of the Long-term Plan 2024-2034.
47. Staff will implement activities that support the organisation to give effect to the allocation table. These activities include developing guidance, considering learning and development needs, and outreach to relevant business units via communications and engagement.

## Ngā tāpirihanga Attachments

No.	Title	Page
A 	Decision-making responsibilities of Auckland Council's Governing Body and local boards	23

## Ngā kaihaina Signatories

Author	Christie McFadyen – Principal Advisor - Governance
Authorisers	Louise Mason - General Manager Local Board Services Victoria Villaraza - Local Area Manager



WAHANGA TUATORU: NGĀ KAWENGA WHAKATAU-KAUPAPA A TE TIRA KĀWANA ME NGĀ POARI Ā-ROHE

Wahanga tuatoru:  
Ngā Kawenga Whakatau-Kaupapa a te Tira Kāwana  
me ngā poari ā-rohe

## Section Three: Decision-making responsibilities of Auckland Council's Governing Body and local boards



SECTION THREE: DECISION-MAKING RESPONSIBILITIES OF AUCKLAND COUNCIL'S GOVERNING BODY AND LOCAL BOARDS | 9

## Decision-making responsibilities of Auckland Council's Governing Body and local boards

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.

The Governing Body and local boards can also be delegated decision-making responsibilities from Auckland Transport.

#### (c) 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 the principles contained in section 17(2) of the Act. This provides as follows:

- decision-making responsibility for a non-regulatory activity of the Auckland Council should be exercised by its local boards unless paragraph (b) applies;
- 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-
  - the impact of the decision will extend beyond a single local board area; or
  - effective decision making will require alignment or integration with other decisions that are the responsibility of the Governing Body; or
  - 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
- 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:<sup>1</sup>

- 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 Reserves Act 1977 for local reserves:
  - declaring a reserve under section 14(1)
  - classifying a reserve under sections 16(1) or 16(2A)
  - reclassifying a reserve under section 24(1)
  - proposing the revocation of reserve status under section 24(1), where the request to revoke is because the local board wishes 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:

- Aotea/Great Barrier Local Board, for-
  - authorising the destruction of wandering stock on Great Barrier Island, in accordance with the Impounding Act 1955

<sup>1</sup> This is intended to summarise key existing delegations made by the Governing Body, and is not intended to be an exhaustive list of all delegations to local boards. Refer to the relevant resolutions for the detail of each delegation.















## Hōtaka Kaupapa / Governance Forward Work Calendars

File No.: CP2024/03958

### Te take mō te pūrongo Purpose of the report

1. To present the Māngere-Ōtāhuhu Local Board with its updated Hōtaka Kaupapa.

### Whakarāpopototanga matua Executive summary


2. The Hōtaka Kaupapa for April 2024 for the Māngere-Ōtāhuhu Local Board is provided in Attachment A. The calendar is updated monthly, reported to business meetings and distributed to council staff.
3. The Hōtaka Kaupapa / governance forward work calendar was introduced in 2016 as part of Auckland Council's quality advice programme and aim to support local boards' governance role by:
  - ensuring advice on meeting agendas is driven by local board priorities
  - clarifying what advice is expected and when
  - clarifying the rationale for reports.
4. The calendar also aims to provide guidance for staff supporting local boards and greater transparency for the public.

### Ngā tūtohunga Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) tuhi ā-taipitopito / note the Hōtaka Kaupapa.

### Ngā tāpirihanga Attachments

No.	Title	Page
<a href="#">A</a> 	Hōtaka Kaupapa / Governance Forward Work Calendar	33

### Ngā kaihaina Signatories

Author	Jacqueline Robinson - Democracy Advisor
Authoriser	Victoria Villaraza - Local Area Manager









## Record of Māngere-Ōtāhuhu Local Board Workshop Notes

File No.: CP2024/03959

Item 16

### Te take mō te pūrongo

#### Purpose of the report

1. To note the Māngere-Ōtāhuhu Local Board workshops held on 6 March 2024, 13 March 2024 and 27 March 2024.

### Whakarāpopototanga matua

#### Executive summary

2. In accordance with Standing Order 12.1.4, the local board shall receive a record of the general proceedings of each of its local board workshops held over the past month.
3. Resolutions or decisions are not made at workshops as they are solely for the provision of information and discussion. This report attaches the workshop record for the period stated below.

### Ngā tūtohunga




#### Recommendation/s

That the Māngere-Ōtāhuhu Local Board:

- a) tuhi ā-taipitopito / receive the workshop notes from the workshops held on 6 March 2024, 13 March 2024 and 27 March 2024.

### Ngā tāpirihanga

#### Attachments

No.	Title	Page
<a href="#">A</a> 	Māngere-Ōtāhuhu Local Board Workshop Record, 6 March 2024	37
<a href="#">B</a> 	Māngere-Ōtāhuhu Local Board Workshop Record, 13 March 2024	39
<a href="#">C</a> 	Māngere-Ōtāhuhu Local Board Workshop Record, 27 March 2024	41

### Ngā kaihaina

#### Signatories

Author	Jacqueline Robinson - Democracy Advisor
Authoriser	Victoria Villaraza - Local Area Manager













