

Auckland Council Combined Chief Executives Delegation Register

Updated September 2020

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Summary of changes to the Combined Chief Executives Delegation Register

Amend chapter 2 - Delegations_RMA, LGRA and SHA Amendments resulting from a change to processes for selecting commissioners for non-resource consent hearings, the Regulatory Committee policy updated at committee on 28 July (resolution number REG/2020/45)

- Housing Accords and Special Housing Areas Act 2013 (HASHA) – General Delegation (c) – Removal of reference to ATA
- Add - Power to appoint independent Hearing Commissioners to a hearing – Minimum level of authority – Tier 5

Amend chapter 19 – Resource Consents – Power to appoint independent Hearing Commissioners to a hearing changed to Principal Specialist Planners

Amend chapter 23 – Housing Project Office – remove reference to the ATA panel in for the appointment of Independent Hearing Commissioners

Auckland Council Delegations: Chief Executive Officer

Adopted 23 June 2011 (GB/2011/123)

This delegation document needs to be read in conjunction with the document:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Chief Executive Officer

General Delegation

Delegation to the Chief Executive Officer

The Council delegates to the Chief Executive Officer all responsibilities, duties and powers to act on any matter, subject to the restrictions set out in the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation at Schedule 1.

This delegation does not preclude the Chief Executive Officer from referring for any reason any matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision.

For the purposes of this delegation:

- **Council** means the governing body of the Auckland Council.

Note: The Chief Executive is responsible to the Auckland Council for, among other matters, implementing decisions of each local board and implementing each local board agreement. He may independently delegate that responsibility.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 - Exclusions

The Chief Executive Officer may exercise his delegated powers within the following financial limits and is excluded from exercising his delegated powers above those limits.

Financial

Power of the Chief Executive together with any one of the Mayor; Chairperson of the relevant committee; or chairperson of the relevant local board to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, real estate, gifts, grants, guarantees, indemnities and the disposal of assets up to \$22,500,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$22,500,000. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the long-term council community plan.

Power of the Chief Executive alone to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, real estate, gifts, grants, guarantees, indemnities and the disposal of assets up to \$20,000,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$20,000,000. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the long-term council community plan.

Auckland Council Delegations: Resource Management Act 1991, Local Government (Rating) Act 2002 and Housing Accords and Special Housing Areas Act 2013

Adopted 23 June 2011 (GB/2011/123)

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Departmental delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Resource Management Act 1991 and Local Government (Rating) Act 2002

General Delegation

The Council delegates:

- (a) all powers, duties and functions under the Resource Management Act 1991 (**RMA**) to:
 - the Chief Executive and the Officers listed at Schedule 1 and
 - Hearings Commissioners; and
- (b) all powers, duties and functions under the Local Government (Rating) Act 2002 (**LGRA**) to the Chief Executive and the Officers listed in Schedule 1
- (c) all powers, duties and functions under the Housing Accords and Special Housing Areas Act 2013 (HASHA) to:
 - the Chief Executive and the Officers listed at Schedule 1 and
 - Hearings Commissioners;

in each case subject to the restrictions set out in Schedule 2A (RMA) and Schedule 2B (LGRA) and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Council from referring any matter to a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation **Council** means the governing body of the Auckland Council.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Officers

Description of role	Level of Authority
Chief Executive	Tier 1
Chief of Strategy	Tier 2
Group Chief Financial Officer	
Governance Director	
Director Infrastructure & Environment	
Director Customer & Community Service	
Director Regulatory Services	
Director People & Performance	
General Manager Resource Consents	Tier 3
General Manager Property	
General Manager Accounting Services	
Project Director - Housing	
General Manager Licensing and Regulatory Compliance	
General Manager Plans and Places	
General Manager Parks, Sports and Recreation	
Director Legal and Risk	
Any Tier 4 Manager/officer in the following Departments:	Tier 4
<ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Description of role	Level of Authority
<p>Council officers reporting directly to Tier 4 Council officers in the following Departments:</p> <ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	Tier 5
<p>Council officers reporting directly to Tier 5 Council officers in the following Departments:</p> <ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	Tier 6
<p>Council officers reporting directly to Tier 6 Council officers in the following Departments:</p> <ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	Tier 7

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Description of role	Level of Authority
<p>Council officers reporting directly to Tier 7 Council officers in the following Departments:</p> <ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	Tier 8
<p>Council officers reporting directly to Tier 8 Council officers in the following Departments:</p> <ul style="list-style-type: none"> • Resource Consents • Property • Accounting Services • Housing Project Office • Licensing and Regulatory Compliance • Plans and Places • Parks, Sports and Recreation • Governance • Legal and Risk 	Tier 9

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

**Schedule 2A – Scope of delegated RMA functions, powers, and duties:
Restrictions/limitations**

The following functions, powers or duties may only be exercised by:

- a Hearings Commissioner (where specified); or
- an Officer having the specified level of authority or higher in the following Departments:
 - Resource Consents
 - Property
 - Housing Project Office
 - Licensing and Regulatory Compliance
 - Plans and Places
 - Parks, Sports and Recreation
 - Governance
 - Legal and Risk

General functions, powers and duties	Minimum level of authority required
Legal	
Power to decide whether to take Environment Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Environment Court. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee	Tier 3
Power to make decisions with regard to district plan appeals, and appeals against requiring authority or heritage protection authority decisions (Environment Court).	Tier 3
Power to decide whether to prosecute for enforcement of resource management infringements.	Tier 4
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the Environment Court, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 4
Property	
Power to make resource consent applications	Tier 3
Regulatory	
Power to initiate oil spill prosecutions (under RMA)	Director Regulatory Services

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to appoint independent Hearing Commissioners to a hearing	Tier 5
RMA functions, powers and duties	Minimum level of authority required
<i>Duties and Restrictions</i>	
Power to grant an extension to existing use rights: s10(2)(b)	Hearings Commissioner
Power to carry out an adverse effects assessment: s17B	Tier 4
<i>Functions, powers, and duties of local authorities</i>	
Power to fix charges: s36	Tier 4
Power to authorise any officer to be an enforcement officer: s38	Tier 4
Duty to ensure hearings are held in public and without unnecessary formality: 39	Hearings Commissioner
Power, if it is considered that there is likely to be excessive repetition, limit the circumstances in which parties having the same interest in a matter may speak or call evidence in support: s40(2)	Hearings Commissioner
Power to request and receive, from any person who makes a report under section 42A or who is heard by the authority or who is represented at the hearing, any information or advice that is relevant and reasonably necessary to determine the application: 41(4)	Hearings Commissioner
Power to regulate how the hearing is conducted: 41A	Hearings Commissioner
Power to make directions to provide evidence within time limits: 41B	Hearings Commissioner
Power to make directions and requests before or at hearings: 41C	Hearings Commissioner
Duty to provide a copy of any further information requested and received before the hearing, to the applicant and every person who made a submission, as directed in the Act: s41C(5).	Tier 5
Power to make sensitive information orders: s42	Hearings Commissioner
Power to, at any reasonable time before a hearing or, if no hearing is to be held, before the decision is made, require an officer of a local authority or to commission a consultant or any other person employed for the purpose, to prepare a report on information provided on any matter by the applicant or any person who made a submission: s42A	Hearings Commissioner
<i>Standards, policy statements, and plans</i>	
Duty to amend the plan or proposed plan to remove the duplication or conflict with a national environmental standard as soon as practicable after the date on which the standard comes into force: s44A	Tier 4
Duty to amend documents if a national policy statement directs: s55(2)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty to make amendments in section 55(2) without using the process in Schedule 1, to give public notice of those amendments and to make all other amendments as required using the process in Schedule 1, as soon as practicable: s55(2A); 55(2B); 55(2C); 55(2D)	Tier 4
Duty to prepare a regional policy statement and power to change a regional policy statement: s60	Tier 4
Duty to take certain matters into consideration when preparing regional policy statements: s61	Tier 4
Duty to prepare a regional coastal plan: s64	Tier 4
Power to decide whether to impose coastal occupation charges conditional on taking certain matters into consideration: s64A	Tier 4
Power to prepare a regional plan for certain functions specified in section 30 of this Act, conditional on taking certain matters into consideration: s65	Tier 4
Duty to prepare the regional plan in accordance with certain requirements under this Act and to consider certain matters: s66	Tier 4
Power to include rules in the regional plan: s68	Tier 4
Power to include rules relating to water management and water quality in a regional plan and where the standards specified in the Schedule in respect of the appropriate management of the water or class or classes of water quality are not adequate or appropriate, the rules may state standards that are more stringent or specific: s69(1); 69(2)	Tier 4
Power to include a rule in a regional plan about contaminated discharges conditional on consideration being given to certain matters: s70	Tier 4
Power to make rules which comply with national environmental standards: s70B	Tier 4
Duty to prepare District Plans and power to prepare District Plan changes for approval by the Council: s73	Tier 4
Power to include rules in a district plan: s76	Tier 4
Power to include rules in the district plan about esplanade reserves on subdivision and road stopping: s77	Tier 4
Power to make rules to apply to classes of activities and specify conditions: s77A	Tier 4
Duty to include certain rules in relation to controlled or restricted discretionary activities: s77B	Tier 4
Power to make rules which specify activities for which consent applications must be notified or are precluded from being notified: s77D	Tier 4
Duty to review policy statements and plans and publicly notify the statement or plan: s79	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty to review its regional policy statement and each regional plan to the extent necessary to ensure that they recognise and provide for the foreshore and seabed reserve management plan: s79A(2)	Tier 4
Power to make changes after a foreshore and seabed reserve review to policy statement or plan and publicly notify the change: s79B	Tier 4
Power to prepare combined regional and district documents: s80	Tier 4
Duty to modify the District Plan as directed by the Environment Court: s85	Tier 4
Duty to publicly notify that a decision under section 86(2)(c) has been rescinded: s86B(4)	Tier 4
Power to apply to the Environment Court for a rule to have legal effect from a date other than standard date: s86D(2)	Tier 4
Duty to identify rules in a proposed plan having early or delayed effect: s86E	Tier 4
Resource consents	
Power as consent authority to decide how to proceed with requests to have the Environment Court determine the resource consent application and to prepare report: s87E	Tier 4
Duty, as consent authority to prepare a report on the application once a decision under section 87D to grant request has been made: s87F	Tier 5
Power to decide whether council becomes a section 274 party on a direct referral to the Environment Court: 87G(4)	Tier 4
Duty to represent the consent authority in a joint hearing relating to a matter in accordance with section 100A: 102(7)	Hearings Commissioner
Duty to hear and decide all of the matters in accordance with section 100A together with other matters under this section: 103(3)	Hearings Commissioner
Functions, powers and duty to refund money and return land where activity does not proceed: s110(1)	Tier 4
Power to retain any portion of a financial contribution or land referred to in section 110(1) of this Act, of a value equivalent to the costs incurred by the consent authority in relation to the activity and its discontinuance: s110(2)	Tier 3
Power to decide a restricted coastal activity and determine conditions: s117	Hearings Commissioner
Duty, as regional council to provide a copy of an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity to the Minister for Conservation and the territorial authority: 117(4)	Tier 3
Duty to publicly notify the application: 117(5)	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty, as consent authority to ensure that a notice of its decision on the application is served on the Minister of Conservation: 117(8)	Tier 3
Power to cancel a resource consent by written notice served on the consent holder. And power to revoke a notice to cancel a resource consent and state a period after which a new notice may be served: s126	Tier 5 Hearings Commissioner
<i>Proposals of national significance</i>	
Power, to make a request to the Minister in respect of a change or variation to a proposed plan, conditional on complying with the relevant consultation provisions in Schedule 1: s143	Tier 3
Power, as an applicant to make a request to the Minister in respect of a change or variation to a proposed plan, conditional on complying with the relevant consultation provisions in Schedule 1: s143	Tier 5
Power, as requiring authority to lodge a notice of requirement for a designation or to alter a designation with the Environmental Protection Agency: s145	Tier 4
Power to make a further submission on a proposed plan, change or variation: s149F(3)	Tier 4
Power to withdraw a notified change or variation to a proposed plan subject to limits: s149I	Tier 4
Power to make suggestions about who should be appointed to a board: s149K	Tier 4
Duty to prepare a proposed plan or change as directed by the board of inquiry in accordance with section 149N: s149M(4)(b)	Tier 4
Duty to prepare a proposed plan or change in consultation with the applicant and to serve a copy on the Environmental Protection Agency: s149N	Tier 4
Duty to comment on minor or technical aspects of a board of inquiry draft report: s149Q	Tier 4
Duty to implement the decision of the board or Court and amend the proposed plan, change or variation: s149W(2)	Tier 4
<i>Aquaculture moratorium</i>	
Power to request the Minister to make the recommendation for an earlier expiry of moratorium in relation to specified areas: s150C	Tier 3
<i>Coastal tendering</i>	
Power to endorse on the regional coastal plan the particulars of the Order in Council: s155	Tier 4
Power to grant a coastal permit unless the applicant for that permit is the holder of an authorisation: 156	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
<i>Occupation of coastal marine area</i>	
Power to refuse to receive applications for coastal permits: 165B	Tier 3
Duty not to process or determine certain applications until aquaculture management area established in regional coastal plan: 165BC	Tier 3
Power to, by public notice make offer of authorisations for available space in aquaculture management area: 165E	Tier 3
Power to, by public notice and in accordance with the regional coastal plan, offer authorisations for coastal permits for the occupation of space in the coastal marine area for activities other than aquaculture activities: 165F	Tier 3
Duty to give Chief Executive of the Ministry of Fisheries notification of proposed allocation and not less than 6 months public notice of that notification: 165G	Tier 3
Duty to adopt most efficient and effective allocation mechanism: 165I	Tier 3
Power to allocate authorisations relating to space in aquaculture management area for aquaculture activities subject to reservation relating to commercial fishing to the holder of an aquaculture agreement under the Fisheries Act 1996: 165J(2)	Tier 3
Duty to amend the regional coastal plan: ss165J(5); 165J(6)	Tier 4
Power to grant a coastal permit authorising occupation of the space in the coastal marine area or identified space in the coastal marine area, for aquaculture. Conditional on the person being the holder of an authorisation for the space and the regional coastal plan providing for the allocation of authorisations of space by public tender or another method. 165K	Tier 3
Duty to give consideration to preferential rights of iwi to purchase a proportion of the authorisations: 165R	Tier 3
Power to accept, reject, call for new offers or negotiate with any person who made an offer with a view to reaching an agreement: 165S	Tier 3
Duty to grant an authorisation once an offer has been accepted under section 165S: 165T	Tier 3
Duty to refund the remuneration to the tenderer if an authorisation has lapsed: 165U	Tier 3
Duty to apply remuneration from authorities to achieving the purpose of this Act in the region's coastal marine area: 165V	Tier 3
Power to, by public notice, identify areas in the coastal marine area as excluded areas: s165W	Tier 3
Power to invite any person to request change to regional coastal plan or proposed regional coastal plan: s165Z	Tier 3
Power to adopt a request or part of request for change, and combine requests: s165ZA	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty to notify the Chief Executive of the Ministry of Fisheries of acceptance or adoption of request: 165ZC	Tier 3
Power to reject a request for change: s165ZE	Tier 3
Duty to comply with section 9 of the Maori Commercial Aquaculture Claims Settlement Act 2004 before allocating any other authorisations in the aquaculture management area: 165ZF	Tier 3
Duty to process permits for existing coastal permit holders first: 165ZH	Tier 3
Duty to abide by criteria regarding the processing of applications for space already used for aquaculture activities: 165ZI; 165ZJ	Tier 3
RMA functions, powers and duties	Minimum level of authority required
<i>Designations</i>	
Power, as requiring authority to give notice of the requirement to the territorial authority: ss168(1); 168(2)	Tier 4
Power, as requiring authority to withdraw a requirement by giving notice in writing to the territorial authority: s168(4)	Tier 4
Duty to receive notifications of withdrawal of requirement for designations: s168(5)	Tier 4
Power to exercise discretion to include requirement in proposed plan: s170	Tier 4
Power, as Requiring Authority, to appeal to the Environment Court: s174(1)	Tier 4
Duty to provide for designation in district plan when certain conditions apply: s175	Tier 4
Power, as requiring authority to give or refuse written permission to a person to do anything in relation to the land that is subject to the designation: s176(1)(b)	Tier 4
Power to appeal to the Environment Court against a requiring authority's decision not to accept requested changes: s176A(5)	Tier 4 Hearings Commissioner
Power, as requiring authority to decide not to make the changes requested under subsection (4) by the territorial authority: s176A(5)	Tier 4 Hearings Commissioner
Power, as requiring authority to do anything in respect of land subject to existing designation or heritage order: s177	Tier 4
Power, as requiring authority to transfer rights and responsibilities for designations to another requiring authority conditional on advising the Minister for the Environment of the transfer: s180	Tier 4
Power, as requiring authority to give notice to the territorial authority of its requirement to alter the designation: s181(1)	Tier 5 Hearings Commissioner

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Power, as territorial authority to alter a designation in its District Plan or a requirement in its proposed District Plan: s181(3)	Tier 5 Hearings Commissioner
Power to receive withdrawals of designations and to amend the District Plan accordingly: s182	Tier 5 Hearings Commissioner
<i>Heritage Orders</i>	
Power to issue a notice of requirement for a heritage order: s189A	Tier 5 Hearings Commissioner
Duty to decide, if given a notice of requirement under section 189, whether to notify the notice: s190	Tier 5
Power to decide whether the requirement for a heritage order be confirmed or cancelled: s191(2)	Tier 4 Hearings Commissioner
Power to impose conditions as a result of making the heritage order: s191(3)	Tier 4 Hearings Commissioner
Power, as heritage protection authority to give or refuse written permission to a person to do anything in relation to land that is subject to a heritage order: s194	Tier 5
Power, at any time to alter a heritage order in the district plan or a requirement in the proposed district plan on certain conditions: s195A	Tier 5
<i>Decision-making on Designations and Heritage Orders</i>	
Power, as requiring authority, to request the Council to allow the requirement to be the subject of a decision of the Environment Court: s198B	Tier 5
Power to grant the request of the requiring authority or heritage protection authority to allow the requirement to be the subject of a decision of the Environment Court: s198B	Tier 5
Power, as requiring authority to object to a decision by the territorial authority to decline a request under subsections 198C(4) or (5): s198C(8)	Tier 5
Duty to prepare a report on the requirement, if the decision to grant the request under section 198B has been made: s198D(3)	Tier 3
Duty, as requiring authority, to lodge a notice of motion with the Environment Court: s198E	Tier 3
Duty to supply information required to the Environment Court: s198E	Tier 3
Duty, as territorial authority to deal with a requirement when a report under section 198D(5) has been received by the requiring authority: s198G	Tier 3
Duty to prepare report and power to address issues under section 168A and suggest conditions that the Environment Court should impose if the requirement is confirmed: s198J	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty to lodge a notice of motion with the Environment Court: s198K	Tier 3
Duty to deal with the requirement when report prepared under section 198J and a notice of motion is not lodged: s198M	Tier 3
<i>Water conservation orders</i>	
Power to apply to the Minister for a Water Conservation Order: 201	Tier 4
Power to make a submission to a tribunal concerning an application made under section 204 of this Act: 205	Tier 4
Power to be heard in person or be represented by another person at an inquiry conducted by the Environment Court under section 210 of this Act: s211	Tier 5
<i>Subdivision and reclamation</i>	
Duty to pay compensation for taking land below mean high water springs or of bed of lake or river: s237G	Tier 5
Power to object to the level of compensation determined by a registered valuer: s237H	Tier 5
<i>Environment Court</i>	
Power to be a party at any proceedings before the Environment Court: s274	Tier 4
<i>Court's powers in regard to plans and policy statements</i>	
Duty to comply with Court direction to amend a regional or district plan: s292	Tier 4
Power to apply to the Court for a rehearing: s294	Tier 4
<i>Appeals from Environment Court decisions</i>	
Power to appeal to the High Court on a question of law: s299	Tier 4
Power to appear and be heard on appeal to the High Court: s301	Tier 4
<i>Declarations, enforcement, and ancillary powers</i>	
Power to apply to the Environment Court for a declaration: s311	Tier 4
Power to issue water shortage direction: s329	Director Regulatory Services
<i>Miscellaneous</i>	
Power to reclaim land by applying to the relevant Minister for any right, title, or interest in the land reclaimed, which is land of the Crown, to be vested in the Council: s355	Tier 3
Power to apply before the expiry of the existing right, title, or interest, for a renewal of the right, title, or interest in the same, or part of the same, relevant land for a renewal: s355AB	Tier 3
Power to take any necessary action to remove unlawfully reclaimed land from the coastal marine area: s355B(3)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Power as requiring authority, whose notice to a territorial authority is declined under section 182(5) of this Act to object to the territorial authority: s357(6)	Tier 3
Power as requiring authority to object to the territorial authority if an application is not granted under section 198C(4) or (5): s357(7)	Tier 4
Power as requiring authority, whose request to a territorial authority is not granted under section 198C(4) or (5) of this Act, to object to the territorial authority: s357(8)	Tier 4
<i>Transitional</i>	
Power to, in accordance with section 65 of this Act, include a rule in a regional plan for the purpose of securing minimum instream flow: s414	Tier 4
Power to take, purchase, or acquire the whole or part of any deemed permit: s415	Tier 4
RMA functions, powers and duties	Minimum level of authority required
<i>Schedule 1: Preparation, change, and review of policy statements and plans</i>	
All powers, functions and duties under Schedule 1 except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1. (This power cannot be exercised by any Council officer or Hearings Commissioner).	Tier 4
<i>Schedule 1A: Preparation and change of regional coastal plans providing for aquaculture activities</i>	
All powers, functions and duties under Schedule 1A	Tier 4
Resource Management (Forms, Fees, and Procedure) Regulations 2003	
Power as consent authority to require a notice to be affixed in a conspicuous place: 10A(2)	Tier 6
Duty to serve notice on persons listed in regulation 10(2): 12(2)	Tier 6
Power to require a notice to be affixed in a conspicuous place: 12A(2)	Tier 6
Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991	
Power to require additional fees for the costs associated with a hearing committee considering application for a restricted coastal activity: 5	Tier 3
Power to require administrative charges associated with monitoring and supervision of that resource consent: 6	Tier 3
Power to fix an additional charge to recover actual or reasonable costs of administering, monitoring, and supervision of the permit, licence, or other authorisation: 7C	Tier 3
Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007	

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

RMA functions, powers and duties	Minimum level of authority required
Duty as consent authority to consider whether activity may significantly adversely affect registered drinking-water supply, and impose conditions on consent: 12	Tier 3
Power as consent authority to impose requirements more stringent than requirements in the regulations: 13	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2B – Scope of delegated LGRA functions, powers, and duties:

Restrictions/limitations

The following functions, powers or duties may only be exercised by an Officer having the specified level of authority or higher in the following Departments:

- Property
- Accounting Services
- Legal and Risk

Local Government (Rating) Act 2002	
Power to refuse any tender, put abandoned land up for sale or lease as required, bid at public auction, and buy land: s79	Tier 3
Power to register a notice of charge on a rating unit if the requirement to pay rates for the rating unit under section 87(1) has been postponed: s90(1).	Tier 3 Accounting Services Tier 4
Duty to register a notice of release of charge if all postponed rates for a rating unit are paid: s90(4)	Tier 3 Accounting Services Tier 4
Power to apply to the Maori Land Court to obtain a charging order to administer the land for the purpose of recovering the rates: s108	Tier 3
Power to cancel election for lump sum payment or recover amount owing in a situation of late or non-payment: s117N(2)	Tier 3
Power to sign documents as correct copies for the purpose of Court or Tribunal proceedings: s135(2)	Group Chief Financial Officer

General rules applying to all delegations - Auckland Council

1. A responsibility, duty or power delegated to an officer holding a named position or level of authority is also delegated to all officers in a direct line of authority above that officer.
2. A responsibility, duty or power delegated to an officer holding a named position is also delegated to any officer who performs or exercises the same or a substantially similar role or function, whatever the name of his or her position.
3. An officer who is delegated a responsibility, duty or power is also delegated any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
4. Where the description of a delegated legislative function is ambiguous or appears to conflict with the wording of the legislation, the wording of the legislation will prevail.
5. Where a delegation refers to repealed legislation, the reference is to be read as a reference to the legislation that, with or without modification, replaces or corresponds to the repealed legislation.
6. Responsibilities, duties or powers delegated to officers by the Chief Executive may not be sub-delegated. Nor may responsibilities, duties or powers delegated to officers (including the Chief Executive) by the Council under the Resource Management Act 1991 or the Local Government (Rating) Act 2002 be sub-delegated.
7. Unless specifically time-limited, a delegation continues in force until revoked, altered or varied by the delegator or Council.
8. When an officer is exercising a delegation in an acting capacity, this should be expressly stated.
9. An officer must comply with any conditions (such as financial limits, local board protocols and reporting or other procedural requirements) relevant to the exercise of a delegated authority, and should also comply where required with all applicable Council policies.
10. The following matters cannot be delegated to an officer:
 - (a) the following powers:
 - (i) the power to make a rate;
 - (ii) the power to make a bylaw;
 - (iii) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan;
 - (iv) the power to adopt a Long-Term Plan, annual plan, or annual report; or
 - (v) the power to appoint a chief executive;
 - (vi) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long-Term Plan or developed for the purpose of the local governance statement; and

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

- (b) any matter not permitted to be delegated by any other Act (for example the approval of a policy statement or plan under the Resource Management Act 1991 or the granting of special exemptions under s.6 of the Fencing of Swimming Pools Act 1987); and
- (c) any matter that can only be given effect to by a Council resolution.

Note: The conferring of delegated authority means that the officer *may* exercise the responsibility, duty or power, but not that he or she *should* do so (either at all, or in a particular case). Whether or not it is appropriate for an officer to exercise a delegated authority which they have will depend on their job description and instructions in particular circumstances etc. Further, where a delegated responsibility, duty or power may be exercised by an officer in more than one department, those officers will be under the direction of the appropriate departmental managers who will work to minimise any potential conflicts in the exercise of that responsibility, power or duty.

Financial delegations - Auckland Council

The following financial delegations apply to all responsibilities, duties and powers delegated by the Chief Executive.

Financial	Minimum level of authority required	Department (if relevant)
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, real estate, gifts, grants, guarantees, indemnities and the disposal of assets up to \$22,500,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$22,500,000. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Chief Executive together with any one of the Mayor; Chairperson of the relevant committee; or Chairperson of the relevant local board	-
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, real estate, gifts, grants, guarantees, indemnities and the disposal of assets up to \$20,000,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$20,000,000. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Chief Executive	-
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, real estate, gifts, grants, guarantees, indemnities and the disposal of assets up to \$10,000,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$10,000,000. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Group Chief Financial Officer Director Customer and Community Services Director Infrastructure and Environmental Services	-

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
	Tier 2	All
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, grants, guarantees, indemnities and the disposal of assets up to \$2,500,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$2,500,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; each transaction over \$1,000,000 being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Tier 3	People and Capability; Legal and Risk; Communications and Engagement; Transformation;
	Director Community Services Director Regulatory Services Director Infrastructure and Environmental Services	COO
Power to commit the council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$950,000. This power includes the authority to terminate such transactions or to vary them so long as the new total does not exceed \$950,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Independent Maori Statutory Board	-
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$1,000,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$1,000,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Tier 3 General Manager Stormwater General Manager Development Programme Office General Manager Waste Solutions	All Infrastructure & Environmental Services

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
Power to reallocate, within the total budget held by that officer, funds that relate to operational expenditure. Conditional on the reallocation being fiscally neutral and being reported to the officer's direct line manager as well the committee responsible for finance matters as part of normal reporting cycles.	All Tier 3	All
Power to reallocate, within the total budget held by that officer, funds that relate to capital expenditure. Conditional on the reallocation being fiscally neutral and being reported to the officer's direct line manager as well as the committee responsible for finance matters as part of normal reporting cycles.	All Tier 3	All
	Tier 4	All
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$250,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$250,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Head of Development Programmes Head of Infrastructure Programme Head of Infrastructure Funding Agreements Healthy Waters Strategy & Resilience Manager	Infrastructure & Environmental Services
Power to commit the Council to financial transactions relating to the acquisition or disposal of property (real estate) or interests in property, up to \$1,000,000 including compensation under the Public Works Act 1981. Conditional on: expenditure being budgeted for; the budget holder authorising the transaction; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan; decision being reported to the committee responsible for finance matters by way of a schedule maintained for that purpose.	Tier 3	Corporate Finance and Property Community Facilities

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$100,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$100,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Managers of Project Delivery	Community Facilities
	Leisure Operations Manager	Active Recreation, Community Services
Power to commit the council to financial transactions (or projects consisting of multiple transactions) relating to the sale and purchase of livestock necessary to conduct the Auckland Council's farming operations up to \$100,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$100,000. Conditional on: expenditure being budgeted for and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.	Manager Farm Business	Community Facilities
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$50,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$50,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Tier 5 Managers	All
	Principal Rangers	Parks, Sports and Recreation
	Manager Farm Business	Community Facilities
	Senior Centre Managers	Active Recreation, Community Services
	Manager Development Programmes	Infrastructure & Environmental Services
	Arts & Culture Advisor Contracts and Relationships Advisor	Arts, Community and Events

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to goods, services, guarantees, indemnities and the disposal of assets up to \$10,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$10,000. This power does not include real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Tier 6	All, and EA to Chief Executive (in CE's absence delegation also with the EA of the Acting CE)
	Centre Managers	Active Recreation, Community Services
Power to commit the Council to financial transactions relating to the acquisition or disposal of property (real estate) or interests in property, up to \$1,000,000, including compensation under the Public Works Act 1981. Conditional on: expenditure being budgeted for; the budget holder authorising the transaction; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction; and, with regard to the purchase and disposal of assets, the transaction being in accordance with the Long-Term Plan.	Tier 4	Community Facilities
	Head of Stakeholder and Land Advisory	
Power to commit the Council to financial transactions for the purchase of goods or services of up to the individual card limit by use of Council Credit Card. This includes authority to vary or terminate such transactions. Conditional on: the expenditure being made by way of a council issued credit card and in compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.	Council Credit Card holders	All
Power to commit the Council to financial transactions (or projects consisting of multiple transactions) relating to good and services up to \$1,000. This power includes authority to terminate such transactions or to vary them so long as the new total does not exceed \$1,000. This power does not include guarantees, indemnities, the disposal of assets and real estate transactions. Conditional on: expenditure being budgeted for; compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.	Tier 7 Managers Tier 8 Managers	All
	Head Teacher Team Leader	Active Recreation, Community Services

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
<p>Power to settle claims relating to insurance (whether insured or uninsured) up to \$20,000,000</p> <p>Conditional on: ability to fund within baseline; consultation with Director, Legal & Risk; settled claims being reported to Insurance & Claims Manager (Legal & Risk); each transaction over \$1,000,000 being reported to the relevant committee; and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.</p>	Chief Executive	
<p>Power to settle claims relating to insurance (whether insured or uninsured) up to \$10,000,000</p> <p>Conditional on: ability to fund within baseline; consultation with Director, Legal & Risk; settled claims being reported to Insurance & Claims Manager (Legal & Risk); each transaction over \$1,000,000 being reported to the relevant committee; and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.</p>	Group Chief Financial Officer	
<p>Power to settle claims relating to insurance (whether insured or uninsured) up to \$2,500,000</p> <p>Conditional on: ability to fund within baseline; consultation with the Tier 3 Manager of the relevant business unit; settled claims being reported to Insurance & Claims Manager (Legal & Risk); each transaction over \$1,000,000 being reported to the relevant committee; and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.</p>	Director	Legal and Risk
<p>Power to settle claims relating to insurance (whether insured or uninsured) up to \$250,000</p> <p>Conditional on: expenditure being budgeted for; consultation with Director, Legal & Risk; settled claims being reported to Insurance & Claims Manager (Legal & Risk); and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.</p>	Head of Risk	Legal and Risk
<p>Power to settle claims relating to insurance (whether insured or uninsured) up to \$15,000</p> <p>Conditional on: expenditure being budgeted for; consultation with Head of Risk; and compliance with the procedures identified in any relevant financial authority manual in relation to each transaction.</p>	Insurance and Claims Manager	Legal and Risk

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
Power to tender for the supply of services within the capabilities of City Park Services and to enter into resulting contracts valued up to \$10,000,000.	Group Chief Financial Officer Manager	City Parks Services
Power to tender for the supply of services within the capabilities of City Park Services and to enter into resulting contracts valued up to \$5,500,000.	Manager	City Parks Services
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$2,500,000	Chief Executive	
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$1,000,000	Group Chief Financial Officer	
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$100,000.	Tier 3	Treasury & Financial Transactions
	Tier 3	All
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$50,000	Tier 4	Treasury & Financial Transactions
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$25,000.	Manager Credit Control	Treasury & Financial Transactions
Power to write off property rents up to a maximum of \$25,000.	Tier 3	Community Facilities
Power to write off property rents up to a maximum of \$5,000.	Head of Stakeholder and Land Advisory	Community Facilities
Power to write off property rents up to a maximum of \$500.	Manager Community Leases	Community Facilities
Power to approve the issuing of officer credit cards with a limit greater than \$2500.	All Chief Officers	
Power to approve the issuing of officer credit cards with a limit of \$2500 or lower.	Tier 3	
Power to review and approve the Chief Executive's and the Mayor's credit card expenditure.	Group Chief Financial Officer	

All staff involved in matters on behalf of local boards should refer to the current version of 'Auckland Council Delegations: Local Boards' to ensure that authority to act is in place

Financial	Minimum level of authority required	Department (if relevant)
Power to be the authorised signatory on behalf of the Council in matters relating to debt, commercial paper and bond programmes and in communications with the Reserve Bank of New Zealand.	Group Chief Financial Officer	
Power to issue settlement instructions. Conditional on compliance with relevant provisions of the Council's Treasury Management Policy and Treasury Operating Manual.	Any two of: General Manager Finance; Financial Controller; Treasury Controller	Finance Treasurer
Power to administer Payroll systems	Manager Payroll	People and Capability
Power to make a financial settlement outside the scope of section 123 of the Employment Relations Act 2000	People and Capability Director	People and Capability
Power to undertake money market, capital markets, foreign exchange and derivative transactions. Conditional on compliance with relevant provisions of the Council's Treasury Management Policy and Treasury Operating Manual.	Funding Analyst Treasury Adviser	Treasurer
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges and approve refunds up to \$5,000.	Manager Community Places	Arts, Community and Events
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges and approve refunds up to \$1,000.	Team Leader Venue Hire	Arts, Community and Events
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$1,000.	Libraries and Information Department Tier 6, Senior in charge and Debt Management Coordinators	Libraries and Information
Power to write off outstanding accounts (excluding rates), and wholly or partly remit fees and charges up to \$50.	Libraries and Information Department Tier 8	Libraries and Information
Power to approve department petty cash expenditure up to \$100 per transaction.	All Personal Assistants All Administrators	All

Auckland Council Delegations: Tier Two Officers

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Tier Two Officers

General Delegation

The Chief Executive delegates to the Tier Two Officers all of his responsibilities, duties and powers, necessary for them to perform their roles subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

Note that the Resource Management Act 1991 and the Local Government (Rating) Act 2002 prevent the Chief Executive from sub-delegating powers etc under those Acts. Officers should therefore refer to the separate Council delegations direct to officers in Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002.

Note that the Tier Two Officers also have all of the functions, duties and powers delegated to the departments under their control.

This delegation does not preclude the Chief Executive from referring any matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 –Tier Two Officers

Description of role	Level of Authority
Chief of Strategy	Tier 2
Group Chief Financial Officer	Tier 2
Governance Director	Tier 2
Director Customer and Community Services	Tier 2
Director Infrastructure and Environmental Services	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Tier Two Officers: Restrictions/limitations

The following functions, powers or duties may only be exercised by the listed Tier Two Officer:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Group Chief Financial Officer
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Regulatory	
Power to initiate oil spill prosecutions (other than under RMA)	Director Regulatory Services
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Group Chief Financial Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Group Chief Financial Officer
Statutory functions, powers and duties	
Auckland City Endowments and Reserves Act 1875	
Power to raise money by mortgage or debenture over certain endowment lands: 3(1)	Group Chief Financial Officer
Health Act 1956	
Power to raise loans for sanitary works. Conditional on being in accordance with the Long Term Plan: 27.	Group Chief Financial Officer
Local Government Act 2002	
Duty to ensure a response in writing is sent to the Auditor-General within 28 days of receiving a report: 45	Group Chief Financial Officer
Public Works Act 1981	
Power to enter into and carry out agreements to combine with Government in any undertaking of both national and local importance. Conditional on consultation with the Chief Executive: 224	Group Chief Financial Officer

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Reserves Act 1977	
Ministerial powers, functions and duties under the Reserves Act 1977 as set out in the Minister's "Instrument of Delegation for Territorial Authorities" dated 12 June 2013 (attached as document number 33 of the Delegations Register).	All
Power to withdraw money and counter sign withdrawal from the Reserves Bank Account: 79(3)	Director Regulatory Services
Power, when appointed by the Minister under section 28 to be the administering body of a reserve, to pay and withdraw all monies into the general bank account: 79(4)	Director Regulatory Services
Power to invest any monies not immediately required for expenditure: 79(5)	Director Regulatory Services
Power to apply money received from more than one reserve for the improvement and benefit of all those areas or any of them: 80	Director Regulatory Services
Duty, as administering body of a reserve or reserves to prepare the annual statement and audit of accounts to be incorporated in the Council's annual statement of accounts: 88	Director Regulatory Services
Trustee Act 1956	
All powers, duties and functions in the Trustee Act except specific Matters set out in the delegations register	Chief Executive Officer

Auckland Council Delegations: Mayoral Office

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Mayoral Office

General Delegation

The Chief Executive Officer delegates to all officers in the Mayoral Office all of his responsibilities, duties and powers relating to Mayoral Office, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Mayoral Office matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Mayoral Office matter** means all functions of office established by the Mayor of Auckland Council under section 9(3)(e) of the Local Government (Auckland Council) Act 2009.
- **Mayoral Office** means:
 - a) the Council department of that name, and comprising the Chief of Staff and all Mayoral Office roles that report directly or indirectly to the Chief of Staff; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Mayoral Office as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Mayoral Office

Description of role	Level of Authority
Chief of Staff	Tier 3
Council officers reporting directly to the Chief of Staff in the Mayoral Office	Tier 4
Council officers reporting directly to Tier 4 Council officers in the Mayoral Office	Tier 5
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Mayoral Office: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Mayoral Office having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 3
Power to terminate staff	Tier 3
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Minimum level of authority required	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 3
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 3
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 3
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to require an employee to work on a public holiday: s47.	Tier 3
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 3
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 3
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 4
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987	Governance Director (these powers cannot be exercised by any officers in the Mayoral Office)
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Auckland Council Delegations: Governance

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Governance

General Delegation

The Chief Executive delegates to all officers in the Governance Division all of his responsibilities, duties and powers relating to Governance, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Governance matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Governance** means all those functions related to the liaising with, advising, supporting of the elected members of the Governing Body, Local Boards and the Independent Maori Statutory Board, liaising with the various iwi of the Auckland Region, ensuring the smooth operation of the meetings of the Auckland Council and administering the Auckland Council's response to requests for official information.
- **Governance Division** means:
 - a) the Council department of that name, and comprising Governance Director and all Governance roles that report directly or indirectly to the Manager Governance Director; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Governance Division as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Governance Division

Description of role	Level of Authority
Governance Director	Tier 2
General Manager Democracy Services	Tier 3
General Manager Local Board Services	
General Manager Maori Responsiveness & Relationships	
Council officers reporting directly to Tier 3 Council officers in the Governance Division	Tier 4
Council officers reporting directly to Tier 4 Council officers in the Governance Division	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Governance Division	Tier 6
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Governance Division: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Governance Division having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to co-sign documents under seal.	Manager Democracy Services
Power to approve access to Council records and archives for people carrying out research.	Manager Democracy Services
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Division spreadsheets)
Power to terminate staff	Tier 3
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Liquor Licensing	
Power to apply for and hold an on-licence or special licence on behalf of the Council	Head of Catering Operations

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to exercise all functions of the Secretary of the Auckland District Licensing Committee	Principal Advisor Hearings Manager Alcohol Licensing
Meetings Notification	
Duty to notify elected members and the public as soon as practicable of the cancellation of the scheduled meeting and the reasons for that cancellation. Conditional on the delegation under Schedule 7 clause 19(6)(a)(ii) of the Local Government Act 2002 being exercised.	Democracy Services Tier 5
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Privacy & LGOIMA Tier 6
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Minimum level of authority required	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Hauraki Gulf Marine Park Act 2000	
Power as constituent party to remunerate its representative: 26(b)	General Manager Democracy Services
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Electoral Act 2001	
Power to direct the electoral officer to conduct an election: 8(1)	General Manager Democracy Services
Power to direct the electoral officer to conduct a referendum that is not required to be held under this or any other Act: 9(1)	General Manager Democracy Services
Power to appoint the electoral officer: 12	General Manager Democracy Services
Duty to notify the governing body or local board if a vacancy occurs in the office of a councillor of the governing body or in the office of an elected member of a local board 12 months or less than 12 months before the next triennial general election: 117	General Manager Democracy Services
Duty to give notice to Electoral Officer if an extraordinary vacancy is to be filled by election: 120	General Manager Democracy Services
Local Government Act 1974	
Duty to conduct a poll if a demand is validly made: 505A	Privacy & LGOIMA Tier 4
Local Government Act 2002	
Power to give written consent to and authorise the use of the Coat of Arms: 234	General Manager Democracy Services
Duty to keep minutes of proceedings: Schedule 7 clause 28	General Manager Democracy Services General Manager Local Board Services
Duty to select a commissioner, or commissioners, to hear development contributions objections: Schedule 13A, part 1, clause 3	Democracy Services Tier 4
Local Government Elected Members (2010/11) (Auckland Council and Local Boards) Determination 2010	
Power to reimburse expenses in accordance with rules approved by Remuneration Authority: 10	General Manager Democracy Services General Manager Local Board Services
Duty to allow public to inspect expenses rules: 11	General Manager Democracy Services General Manager Local Board Services

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to pay allowances in accordance with rules approved by Remuneration Authority: 12	General Manager Democracy Services General Manager Local Board Services
Power to pay vehicle mileage allowance: 13	General Manager Democracy Services General Manager Local Board Services
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 in relation to all information held by Auckland Council	Governance Director
All functions powers and duties under the Local Government Official Information and Meetings Act 1987	Privacy and LGOIMA Tier 4
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers can only be exercised by the Privacy and LGOIMA Manager or the Governance Director).	Local Board Services Tier 4
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3 Privacy & LGOIMA Tier 4 Local Board Services Tier 4
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Public Records Act 2005	
All powers, duties and functions	Privacy & LGOIMA Tier 4
Public Works Act 1981	
Power to sign a compensation certificate and notice of discharge of compensation certificate: 19(8)	General Manager Democracy Services
Power to sign certificate of consent or notice of discharge of certificate of consent: 115(9)	General Manager Democracy Services
Regulatory	

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to appoint Independent Hearing Commissioners to a hearing	Tier 4 Democracy Services
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property S2	Tier 4 Manager Security and Access Services
Power to warn a trespasser to leave the property: s3	Tier 4 Manager Security and Access Services
Power to either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the property: s4(1)	Tier 4 Manager Security and Access Services
Power to, where there is reasonable cause to suspect that any person is likely to trespass on the property, warn that person to stay off the property and to require that a person give name and other particulars: ss4(2) and 9(1)	Tier 4 Manager Security and Access Services

Auckland Council Delegations: People and Capability

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

People and Capability

General Delegation

The Chief Executive Officer delegates to all officers in the People and Capability (formerly Human Resources) Department all of his responsibilities, duties and powers relating to People and Capability or human resources, subject to the restrictions set out in Schedule 1 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any People and Capability matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **People and Capability** means all those functions related to developing and implementing a strategic framework that links Human Resource (HR) initiatives to key organisation goals. It includes creating initiatives that support the development of a new organisational culture, promoting health and safety and supporting the ongoing organisational redesign and restructuring. It also includes providing leadership on best practice people management and market trends and working to develop employment branding, attracting talent and overseeing the staff development and retention. It further includes the implementation of cost effective HR transactional services, including integrated HR information and payroll systems.
- **People and Capability Department** means:
 - a) the Council department of that name, and comprising the People and Capability Director and all People and Capability roles that report directly or indirectly to the People and Capability Director; or
 - b) any department (whatever its name) that, after 7 July 2014, performs or exercises the same or a substantially similar role as the People and Capability Department as at 7 July 2014.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Scope of delegated functions, powers, and duties for the People and Capability Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the People and Capability Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Governance dept: Tier 3 Operations dept: Tier 5 All other depts.: Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	People and Capability Director
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	People and Capability Director
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	People and Capability Director
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	People and Capability Director

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	People and Capability Director
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	People and Capability Director
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	People and Capability Director
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	People and Capability Director
Power to decide whether to take any Tribunal actions.	People and Capability Director
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	People and Capability Director
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	People and Capability Director
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	People and Capability Director Head of Employment Relations Head of Shared Services HR Business Partners People and Capability Consultants

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Electricity Act 1992	
Duty to notify the Secretary of the Ministry of Economic Development of an accident involving electricity which causes serious harm to any person or damage to the workplace:16(3)	Head of Health and Safety
Companies Act 1993	
Power as creditor, to approve a compromise: 230	Manager Revenue and Payment Services
Duty as proponent, to give written notice of the result of the voting to each known creditor, the company, any receiver or liquidator, and the Registrar: 230(4)	Manager Revenue and Payment Services
Power as creditor to approve a variation to a compromise: 231	Manager Revenue and Payment Services
Power as proponent, to apply to the Court for directions in relation to a procedural requirement.	Manager Revenue and Payment Services
Power as creditor and with the leave of the court to apply for the Court to make such order as the Court thinks fit with respect to the extent, if any, to which the compromise will, if the company is put into liquidation, continue in effect and be binding on the liquidator of the company: 233	Manager Revenue and Payment Services
Employment Relations Act 2000	
Power to request or consent to parties joining bargaining after it begins: 49	People and Capability Director
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Power to suspend striking employees: s87	People and Capability Director
Power to suspend non-striking employees where work not available during strike: s 88	People and Capability Director
Power to employ or engage another person to perform the work of a striking or locked out employee: s97	People and Capability Director
Power to deduct, with the consent of the employee, the employee's union fee from the employee's salary or wages and pay to the union: s65A(1) and 65A(3)	Payroll Manager
All remaining powers, duties and functions	Head of Employment Relations
Health and Safety in Employment Act 1992	
All powers, duties and functions	Head of Health and Safety

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Duty to keep holiday and leave records, and to comply with requests for access: ss81 and 82	Payroll Manager
Power to agree with employee when holiday pay will be paid: 27(1)	Payroll Manager
Power to regularly pay annual holiday pay with employee's pay in certain circumstances: 28	Payroll Manager
Power to refuse to pay the employee for any sick leave in respect of which the proof is required until the employee complies with that requirement: 72(2)	Payroll Manager
Income Tax Act 2007	
Duty to keep a keep a record of the gross salary or wages of an employee for a pay period and provide information: RP 8	Payroll Manager
Power to make payments directly to employees: RP 12	Payroll Manager
Insolvency Act 2006	
All powers, duties and functions	Manager Revenue and Payment Services
KiwiSaver Act 2006	
Power to refund any deduction to the employee:s20.	Payroll Manager
Duty to give information to Commissioner if satisfied that new employee is subject to the automatic enrolment rules: s23	Payroll Manager
Power to commence deductions of contributions from each payment of the person's salary or wages that is calculated by the employer after the date on which the employer receives the notice: ss39(a); and 61	Payroll Manager
Authority to change employee's level of contribution rate: s64; and 66	Payroll Manager

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to refund contributions if employee loses contributions holiday notice: 114	Payroll Manager
Local Government Official Information and Meetings Act 1987	
<p>All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for:</p> <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). <p>(Those two powers cannot be exercised by any officers in the People and Capability department).</p>	People and Capability Director
Minimum Wage Act 1983	
Duty to keep a wages and time record: 8A	Payroll Manager
Parental Leave and Employment Protection Act 1987	
Power to direct a female employee to commence maternity leave: 14	Business Partners People and Capability Consultants
Power to temporarily transfer a pregnant female employee from one job to another if she is unable to perform her work to the safety of herself or others or is incapable of performing her work adequately: 16	Business Partners People and Capability Consultants
Duty to notify employee of information concerning their parental leave: 36	Business Partners People and Capability Consultants
Duty to give notice in relation to return to work and preference for appointment: 38	Business Partners People and Capability Consultants
Power to refer complaint to Employment Relations Authority: 58	People and Capability Director Head of Employment Relations
Power to lodge with the Employment Relations Authority an objection: 70C	People and Capability Director Head of Employment Relations
Duty to notify employee of payment entitlements: 71T	Payroll Manager
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Protected Disclosures Act 2000	
Duty to provide information to the Ombudsman on whether the organisation has established and published internal procedures for receiving and dealing with information about serious wrongdoing: 6C	People and Capability Director
Duty to have in operation appropriate internal procedures for receiving and dealing with information about serious wrongdoing in or by the Council: 11(1)	People and Capability Director
Duty to provide information about the existence of the internal procedures, and adequate information on how to use the procedures: 11(3)	People and Capability Director
Power to refer information disclosed from one appropriate authority to another: 16	People and Capability Director
Duty to notify the person by whom the protected disclosure of information was made that the information disclosed has been referred: 16(2)	People and Capability Director
Tax Administration Act 1994	
Duty to keep PAYE records and provide forms to Commissioner: 24	Payroll Manager
Duty to provide records to employee or trustee of a superannuation fund details of all employer contributions to superannuation fund: 32A; and 32B	Payroll Manager
Duty to supply in electronic form the employer monthly schedule and the PAYE payment form: 36A	Payroll Manager
Duty to make returns as to employees: 46	Payroll Manager
Duty to provide ESCT statements: 47	Payroll Manager
Duty to provide reconciliation statement for retirement scheme contribution withholding tax: 48B	Payroll Manager
Wages Protection Act 1983	
Powers to make deductions, recover overpayments and make payments: ss 5, 6, 8, 9, 10	Payroll Manager

Auckland Council Delegations: Legal Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Legal Services

General Delegation

The Chief Executive delegates to all officers in the Legal Services Department all of his responsibilities, duties and powers relating to legal services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 and the Local Government (Rating) Act 2002 prevent the Chief Executive from sub-delegating powers etc under those Acts. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Legal Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Legal Services** means the direct and indirect (through external providers) provision of legal advice and guidance to all parts of the Council organisation (including its related organisations), the representation of Council before any Court, tribunal, arbitral panel or other such body and all related functions.
- **Legal Services Department** means:
 - a) the Council department of that name, and comprising the Director Legal and Risk and all Legal Services roles that report directly or indirectly to the Director Legal and Risk; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Legal Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Legal Services Department

Description of role	Level of Authority
Director Legal and Risk	Tier 3
Manager Litigation and Regulatory	Tier 4
Manager Property and Commercial	
Manager Public Law	
Head of Risk	
Any other Council officer reporting directly to the Director Legal and Risk in the Legal Services Department	
Council officers entitled to practice as a barrister and solicitor or legal executive reporting directly to Tier 4 Council officers in the Legal Services Department.	Tier 5
Council officers not entitled to practice as a barrister and solicitor or legal executive within the legal services department.	Tier 6
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Legal Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Legal Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Delegations Interpretation	
Power to determine the correct interpretation to be applied in cases of conflict or ambiguity arising from delegations and to determine the extent to which a matter is ancillary to (and thereby covered by) any delegation.	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to commence or defend any action before a Court, tribunal, arbitral panel or other such body subject to, at the delegate's discretion, discussion with officers involved, discussion with Council's insurers and reports being made to relevant committees of the Council.	Tier 4
Power to settle any matter before any Court, tribunal, arbitral panel or other such body subject to, at the delegate's discretion, discussion with officers involved, discussion with Council's insurers and reports being made to relevant committees of the Council.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to put in place an eDealing policy for the council and to make changes to that policy as deemed necessary or reasonable.	Manager Property and Commercial
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction to be managed by Legal Services, conditional on a Blue Minute or other form of council authority. Conditional on approval from Tier 4 Property Department	Senior Solicitor Property
Power to nominate the Primary Contact and Conveyancing Professional for an eDealing transaction.	Legal Executive
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction with an external third party authorising that third party to complete the eDealing transaction on behalf of Council. Two signatories required.	Solicitor Property
Power to act as Conveyancing Professional for an eDealing transaction.	Solicitor Property
Power to instruct an external law firm to act on behalf of Council in respect of an eDealing transaction with an external third party.	Legal Executive
Power to act as Primary Contact for an eDealing transaction and the day-to-day management of eDealing	Legal Executive
Power to instruct an external firm to act on behalf of the Council in any transaction	Tier 4
Power, as Institutional Charge holder to sign an Authority to Discharge letter or consent letter (if necessary conditional on the approval of the relevant Council department)	Tier 5
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 4
Statutory functions, powers and duties	
Disputes Tribunal Act 1988	
All powers, functions and duties under the Disputes Tribunal Act 1988	Tier 5
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, and 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Land Transfer Act 1952	
Power to bring an action against the Crown for recovery of damages for mistake or misfeasance of Registrar: s172	Tier 3
Duty to surrender instruments affecting title to the Registrar: s 189	Tier 3
Power to refer the matter, by notice in writing, to the Registrar for reconsideration of his decision: s216	Tier 3
Power to execute a lease instrument and variation or the Authority and Instruction for the equivalent electronic instrument: s115 (3)(a) and 116(6)	Tier 5
Power to execute a lease surrender instrument or the Authority and Instruction for the equivalent electronic instrument: s120(3)	Tier 5
Power to execute and submit for registration a caveat against bringing land under Act or against dealings with land under Act: ss136 and 137	Tier 5
Power to make application to High Court for removal of caveat: s143	Tier 5
Power to apply for caveat against dealings to lapse: s145A	Tier 5
Power to execute and submit withdrawal of caveat or the Authority and Instruction for the equivalent electronic instrument: s147	Tier 5
Power as caveator to consent to electronic registration: s147A	Tier 5
Power to certify instruments: s 164(2)	Tier 5
Power to certify electronic instruments and paper instruments of a class specified for the purpose by regulations made under this Act: s 164B	Tier 5
Local Government Act 1974	
Power to register an instrument creating an interest in land under section 348(2)(b)(i) of this Act: s348(2)(b)	Legal Executive

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987.	Tier 4
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 4
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power as vendor to cancel an agreement after certain conditions have been complied with: 28	Tier 3
Power to assign things in action: s50.	Tier 3
Power to sign applications, documents or instruments or certify any document or instrument in relation to any interest in land, on behalf of the Council, conditional on prior approval by a person at Tier 4 level in the Property Department, if necessary.	Solicitor Property
Public Works Act 1981	
Power to sign notices under this Act: 4(6)(b)(ii)	Tier 3
Duty to give notice to District Land Registrar to withdraw section 18 notice: 18(4)	Legal Executive
Power to forward a compensation certificate to the District Land Registrar to protect agreement: s 19(1)	Legal Executive
Duty to notify District Land Registrar that compensation certificate should be discharged: s 19(7)	Legal Executive
Power to sign a compensation certificate and notice of discharge of compensation certificate: 19(8)	Tier 3
Power to represent the local authority at an Environment Court hearing into an objection: s24(6)	Legal Executive
Power to agree to an Environment Court judge conducting an inquiry alone: s25	Legal Executive
Power to apply to District Land Registrar to issue certificates of title to land held for public work and to request a duplicate certificate: s47(1) and (3)	Legal Executive
Power to grant easement over land held for public work: s48	Tier 3
Duty to pay compensation for injurious affection where no land taken: s63	Legal Executive
Power to register a certificate of consent or notice of discharge of certificate: s115(1); 115(8)	Legal Executive

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to sign certificate of consent or notice of discharge of certificate of consent: s115(9)	Legal Executive

Auckland Council Delegations: Communications and Public Affairs

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Communications and Public Affairs

General Delegation

The Chief Executive Officer delegates to all officers in the Communications and Public Affairs Department all of his responsibilities, duties and powers relating to communications and public affairs, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Communications and Public Affairs matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Communications and Public Affairs** means all functions related to the managing of internal and external communications, online content and channel strategy, the provision of brand and print design services, research, consultation and engagement management, and communications support to Local Boards and non-self sufficient CCOs.
- **Communications and Public Affairs Department** means:
 - a) the Council department of that name, and comprising the Manager Communications and Public Affairs and all Communications and Public Affairs roles that report directly or indirectly to the Manager Communications and Public Affairs; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Communications and Public Affairs Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Communications and Public Affairs Department

Description of role	Level of Authority
Communication and Engagement Director	Tier 3
Head of Strategy Planning and Performance	Tier 4
Head of Public Affairs	
Head of Marketing and Publicity	
Head of Market Research and Engagement	
Head of Brand and Channel	
Any other Council officers reporting directly to the Communication and Engagement Director	
Council officers reporting directly to Tier 4 Council officers in the Communications and Public Affairs Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Communications and Public Affairs Department	Tier 6
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Communications and Public Affairs Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Communications and Public Affairs Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Communications	
Power to speak to or be interviewed by the media on topical Council matters or to authorise another relevant officer to do so.	Tier 3
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, and 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Communications and Public Affairs Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Auckland Council Delegations: Customer Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Customer Services

General Delegation

The Chief Executive Officer delegates to all officers in the Customer Services Department all of his responsibilities, duties and powers relating to Customer Services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Customer Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- The **Customer Services** department provides the first point of contact for customers across the four main customer channels, face-to-face, telephone, written correspondence and self-service via the web. In addition to managing these customer channels, the department works with other departments across the organisation to build and deliver customer services strategy and to ensure continuous improvement in customer service delivery. **Customer Services** means the delivery of Council products and services by the Customer Services Department. These products and services include:
 - accepting payments for rates, dog registration, parking fines and other services
 - providing copies of plans, publications and reports
 - providing general information on Council services, planning, parking and rates.
 - providing general information on building, planning, environmental health and licensing and property queries.
 - providing regional parks products, bookings and payment
 - accepting resource and building consent lodgment
 - providing access to Council documents, forms, agendas and meeting minutes
 - arranging property information viewing
- **Customer Services Department** means:
 - a) the Council department of that name, and comprising the Manager Customer Services and all Customer Services roles that report directly or indirectly to the Manager Customer Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Customer Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Customer Services Department

Description of role	Level of Authority
Manager Customer Services	Tier 3
Manager Customer Experience	Tier 4
Manager Digital Services	
Manager Contact Centres	
Manager Service Centres	
Manager Service Development	
Change Lead	
Transformation Lead	
Any other Council officers reporting to the Manager Customer Services	
Council officers reporting directly to Tier 4 Council officers in the Customer Services Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Customer Services Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Customer Services Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Customer Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Customer Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Minimum level of authority required	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 5
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Customer Services Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Rates Rebate Act 1973	
Power to receive declarations: s13(2)	Tier 7
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property	Tier 6
Power to warn a trespasser to leave the property.	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the property.	Tier 6
Power to, where there is reasonable cause to suspect that any person is likely to trespass on the property, warn that person to stay off the property.	Tier 6
Power to require that a person give name and other particulars.	Tier 6

Auckland Council Delegations: Civil Defence

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Civil Defence

General Delegation

The Chief Executive Officer delegates to all officers in the Civil Defence and Emergency Management Department all of his responsibilities, duties and powers relating to Civil Defence and Emergency Management, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Civil Defence and Emergency Management matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Civil Defence and Emergency Management** means those activities related to civil defence emergency management, rural fire, hazards and crisis management
- **Civil Defence and Emergency Management Department** means:
 - a) the Council department of that name, and comprising the Manager Civil Defence and Emergency Management and all Civil Defence and Emergency Management roles that report directly or indirectly to the Manager Civil Defence and Emergency Management; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Civil Defence and Emergency Management Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Civil Defence and Emergency Management Department

Description of role	Level of Authority
Civil Defence and Emergency Management Director	Tier 3
Head of Crisis and Business Continuity	Tier 4
Principal Rural Fire Officer	
Head of Emergency Management Planning	
Head of Emergency Management Operations	
Harbourmaster	
Any other Council officer reporting directly to the Civil Defence and Emergency Management Director	
Council officers reporting directly to Tier 4 Council officers in the Civil Defence and Emergency Management Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Civil Defence and Emergency Management Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Civil Defence and Emergency Management Department	Tier 7
Any Council officer with direct reports	People leader

Note: Although the Chief Operating Officer is not part of the Civil Defence and Emergency Management Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Civil Defence and Emergency Management – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Civil Defence and Emergency Management Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Civil Defence and Emergency Management Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Rural Fire	
Power to respond to requests from overseas Fire Authorities for the temporary supply of services and apparatus for fire control in emergency situations.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to enter into contracts, agreements and arrangements with overseas Fire Authorities for the temporary supply of fire control services.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Civil Defence Emergency Management Act 2002	
Duty to establish a Civil Defence Emergency Management Group: s12	Tier 3
Duty to plan and provide for civil defence emergency management: s64	Tier 3
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Fire Service Act 1975	
Power to apply for grants from the Rural Fire Fighting Fund: s46B	Principal Rural Fire Officer
Power, as Fire Authority to make a minor fires claim in respect of all fires within the Fire Authority's district at any time in the period of 12 months ending with that 31st day of March: s46F	Principal Rural Fire Officer
Duty, as Fire Authority in receipt of a grant from the Rural Firefighting Fund to agree to be joined with and represented by the Commission in any proceedings taken (whether by Court action or otherwise) by the Commission against any person or persons whom the Commission believes was responsible, by reason of arson or negligence or failure to observe permit conditions, for causing the lighting of the fire (being a fire in respect of which the grant is being paid) or for permitting or causing that fire to become out of control: s46G	Principal Rural Fire Officer
Duty to make statutory declaration concerning the details of its insurance arrangements (if any) of a property so that the Commission may determine whether or not the Council is liable, as owner of property or otherwise, for the payment of the levy: s51A	Principal Rural Fire Officer
Forest and Rural Fires Act 1977	
Duty as Territorial Fire Authority to promote and carry out fire control measures and prepare a written fire plan: s12	Principal Rural Fire Officer
Power to appoint rural fire officers and a principal rural fire officer if more than one: s13	Tier 3
Power to enter into contracts with other fire authorities to act together in the exercise of those powers: s14	Principal Rural Fire Officer
Power to arrange with the Fire Service Commission, the Crown, or the employer of an industrial fire brigade for services and apparatus to be supplied for fire control: s15	Principal Rural Fire Officer
Power to enter into contracts, agreements, and arrangements for the purposes of fire control: s16	Principal Rural Fire Officer
Power to declare, on application by a landowner for registration as a forest area, an area to be a forest area and maintain register: s17(1) and (2)	Principal Rural Fire Officer

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to at any time and from time to time suspend, amend, or cancel the registration or conditions of all or any part of any forest area or fire safety margin or waive or allow rectification of, any procedural requirement: s17(9)	Principal Rural Fire Officer
Power to take appropriate fire control measures as necessary: s18	Deputy Principal Rural Fire Officer
Power to specify any restricted or prohibited fire season or seasons in the district or in any specified part or parts of its district, and to cancel or vary: s22(2)	Principal Rural Fire Officer
Power to issue or withhold a permit to light fires in the open air within a forest area: s23(1) and (4)	Deputy Principal Rural Fire Officer
Power to require firebreaks to be made or cleared: s27	Deputy Principal Rural Fire Officer
Power to do work to meet requirements of the Act at landowner's cost: s29	Principal Rural Fire Officer
Power to exclude persons from entering into any exotic forest, where fire hazard conditions exist: s32	Deputy Principal Rural Fire Officer
Power to recover costs of fire from person responsible: s43	Deputy Principal Rural Fire Officer
Duty to periodically estimate expenditure for the next period: s44	Principal Rural Fire Officer
Power to apply a levy made on landowners: ss45; 46; and 46A	Tier 3
Duty to pay regional fire emergency costs as determined by the National Rural Fire Officer: s51	Principal Rural Fire Officer
Power to request the Minister to appoint a person under section 59 of this Act to give a final decision regarding apportionment of fire fighting costs in regional fire emergency : s52	Tier 3
Power to recover costs in certain circumstances: s53	Principal Rural Fire Officer
Power to request the Minister of Internal Affairs appoint a person to hold an inquiry into the circumstances of and the steps taken to deal with any fire: s59	Tier 3
Power to take certain measures to remove certain fire hazards on land owned or controlled by the Council: s60	Principal Rural Fire Officer
Power to take proceedings against any person who lights a fire in the open air without a special permit under section 24 of this Act in any area where a warning is in force under section 20(1) of this Act: s61(8)	Deputy Principal Rural Fire Officer
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Civil Defence Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Franklin District Council Fires in the Open Air Bylaw 2008	
All powers, duties and function under this bylaw	Rural Fire Officer
Manukau City Council Rural Fires Bylaw 2007	
All powers, duties and function under this bylaw	Rural Fire Officer
North Shore City Council Fire Prevention Involving Open Air Fires Bylaw	
Power to appoint warranted rural fire officers for the purposes of this bylaw.	Tier 3
All other functions, powers and duties under the bylaw	Rural Fire Officer
Rodney District Council Fires in the Open Air Bylaw	
To be an authorised officer for the purposes of this bylaw	Rural Fire Officer

Auckland Council Delegations: Parks, Sports and Recreation

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Parks, Sports and Recreation

General Delegation

The Chief Executive delegates to the Director Community Services and all officers in the Parks, Sports and Recreation Department all of his responsibilities, duties and powers relating to Parks, Sports and Recreation, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive from referring any Parks, Sports and Recreation matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

The Parks, Sports and Recreation Department is part of the Community Services Directorate and for the avoidance of doubt, the Director of Community Services has all the functions, duties and powers delegated to the departments in the Directorate.

For the purposes of this delegation:

- **Parks, Sports and Recreation** means the management of open space and natural areas, sports and recreation facilities, swimming pools, cemeteries, beaches and coastlines as well as the promotion of recreation and sporting activities.
- **Parks, Sports and Recreation Department** means the Council department of that name, and comprising the Director Community Services, the General Manager Parks, Sports and Recreation and all Parks, Sports and Recreation roles that report directly or indirectly to the General Manager Parks, Sports and Recreation (and any department (whatever its name) that performs or exercises the same or a substantially similar role).

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Parks, Sports and Recreation Department

Description of role	Level of Authority
Director Community Services	Tier 3
General Manager Parks, Sports and Recreation	
Manager Local and Sports Parks	Tier 4
Manager Recreation Planning and Programming	
Manager Regional and Specialist Parks	
Manager Asset Development	
Manager Leisure	
Any other Council officers reporting to the General Manager Parks, Sports and Recreation	
Council officers reporting directly to Tier 4 Council officers in the Parks, Sports and Recreation Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Parks, Sports and Recreation Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Parks, Sports and Recreation Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Parks, Sports and Recreation Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Parks, Sports and Recreation Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint a person to be an authorised officer for a bylaw.	Tier 3
Employment	
Power to hire staff	Tier 5
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 4
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to prosecute for section 101 Reserves Act 1977 infringements.	Tier 3
Liquor Licensing	
Power to apply for and hold an on-licence or special licence on behalf of the Council	Tier 5
Parks Management	
Power to remit burial charges for Council cemeteries.	Tier 5
Power to loan to a third party plants and shrubs grown on Council land.	Tier 6
Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna, from a council owned park.	Tier 6
Power to authorise the taking and killing of any non-protected exotic fauna using firearms, traps, nets or other like objects, from a council owned park.	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to authorise the introduction of indigenous flora or fauna or exotic flora to a council owned park conditional on it being provided for or contemplated in an approved management plan.	Tier 6
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to make building consent applications.	Tier 4
Power to close a premises / facility in an emergency situation.	Tier 6
Power to sign certificates defining legal boundaries adjoining council land that is not park or reserve or legal road	Tier 4
Regulatory	
Power to initiate oil spill prosecutions (other than under RMA)	Director Regulatory Services
Safety	
Power to decide on the most appropriate response to matters concerning emergency work on scheduled trees and report all such cases to the Committee responsible for regulatory matters.	Tier 6
Statutory functions, powers and duties	Minimum level of authority required
Auckland Domain Act 1987	
All powers, duties and functions under the Auckland Domain Act 1987	Manager Local and Sports Parks Central
Auckland Improvement Trust Act 1971	
Powers relating to building and the tunnel complex in Albert Park: ss4(1A), 4(3), 4(4)	Manager Local and Sports Parks Central
Power to enclose, lay out, and plant on Alten Road Reserve: s5(1)	Manager Local and Sports Parks Central
Burial and Cremation Act 1964	
All powers, duties and functions under the Burial and Cremation Act 1964 except for the power to grant leases of any unused portion of the land comprised in a cemetery for any term not exceeding 5 years: s21(2). (This power cannot be exercised by any officers in the Parks, Sports and Recreation department).	Cemetery Managers (Tier 6)
Cremation Regulations 1973	
Power to request that Minister close a crematorium: s3	Cemetery Managers (Tier 6)

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 6
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 6
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 6
Power to require an employee to work on a public holiday: s47.	Tier 6
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 6
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 6
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 6
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Act 2002	
Power to make application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw: s162	Tier 3
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Parks, Sports and Recreation Department).	Tier 3
Marine and Coastal Area Act 2011	
Obligations relating to wahi tapu areas: s81	Tier 4
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Public Works Act 1981	
Power to enter onto land to do emergency work on trees, etc: s135.	Arborist
Reserves Act 1977	
Power to appoint rangers: s8	Tier 3
Power to prohibit access to the whole or any specified part of a local purpose reserve: s23(3)	Tier 6
Duty to notify all those affected by such a change and to consider objections properly lodged as soon as practicable: s24A(2)	Tier 6
Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature or scientific reserve and to determine terms and conditions: s42(1)	Tier 6
Power to authorise the cutting or destruction of trees and bushes on any recreation reserve, or Government purpose reserve, or local purpose reserve, subject to being satisfied that certain conditions apply: s42(2)	Tier 6
Duty to give public notice and call for objections to set aside all/part of a reserve as a wilderness area: s47(2)	Tier 4
Power to grant or decline the right to take exotica flora and exotica fauna not protected under the Wildlife Act 1953, or rock mineral or soil from a reserve for scientific or educational purposes: s49	Tier 6
Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna in the case of any recreation, Government purpose, or local purpose reserve: s50(1)	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to authorise or decline to authorise the taking and killing of any non-protected exotic fauna using firearms, traps, nets or other like objects in any scenic or historic reserve: s50(1)	Tier 6
Power to authorise or decline to authorise the introduction of indigenous flora or fauna or exotic flora but only if provided for or contemplated in an approved management plan: s51(1)	Tier 6
Powers (other than leasing) in respect of recreation reserves: s53	Tier 6
Power to do such things (other than leasing) in respect of scenic reserves: s55	Tier 6
Power to in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel: s57(7)	Tier 6
Power to appoint officers, servants, and rangers for a nature reserve: s57(9)(b)	Tier 6
Power to, do such other things as may be considered necessary for the proper and beneficial management, administration, and control of the nature reserve and for the protection, preservation, and well-being of the indigenous flora and fauna and other features in the reserve: s57(9)(c)	Tier 5
Power to, in respect of historic reserves, appoint officers, servants, and rangers: s58(a)	Tier 6
Power to do such other things as may be considered necessary or desirable for the proper and beneficial management, administration, and control of the historic reserve, conditional on the Minister's consent: s58(d)	Tier 6
Power, in respect of scientific reserves on the authorisation of the Minister, to issue a permit for access for scientific study or for control and management purposes: s59(1)	Tier 3
Power to, in respect of a scientific reserve, to appoint officers, servants, and rangers and do such other things as may be necessary or desirable for the proper and beneficial management control purposes: s59(2)	Tier 3
Power to, in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel: s59(7)	Tier 4
Power to, in respect of a Government purpose reserve, do such things as are necessary or desirable for the proper and beneficial administration, management, and control of the reserve and for its use for the purposes specified in its classification: s60	Tier 5
Power to do such things in respect of local purpose reserves, considered necessary or desirable for the proper and beneficial management, administration, and control of the reserve and for the use of the reserve for the purpose specified in its classification: s61(1)	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Duty to apply all money received by way of rent, royalty, or otherwise in respect of any dealing with any reserve in accordance with the provisions of this section: s78	Tier 3
Power to withdraw money and counter sign withdrawal from the Reserves Bank Account: 79(3)	Director Regulatory Services
Power, when appointed by the Minister under section 28 to be the administering body of a reserve, to pay and withdraw all monies into the general bank account: 79(4)	Director Regulatory Services
Power to invest any monies not immediately required for expenditure: 79(5)	Director Regulatory Services
Power to apply money received from more than one reserve for the improvement and benefit of all those areas or any of them: 80	Director Regulatory Services
Duty, as administering body of a reserve or reserves to prepare the annual statement and audit of accounts to be incorporated in the Council's annual statement of accounts: 88	Director Regulatory Services
Power to lay an information for offences against this Act: s101(1)	Tier 4
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property s2	Tier 5
Power to warn a trespasser to leave the property: s3	Tier 5 Facility Manager (Tier 6) All Rangers
Power to warn a trespasser to stay off the property: s4(1) and (2)	Tier 5 Facility Manager (Tier 6) All Rangers
Power to require that a person give name and other particulars: s9(1).	Tier 5 Facility Manager (Tier 6) All Rangers
Walking Access Act 2008	
Duty to notify the Commissioner and public of a walkway closure: s38(4) and 39	Tier 5
Wildlife Act 1953	
Power to appoint inspectors under the Act: s48	Tier 3
Power to authorise a person to be able to demand that a person on council controlled land produce a hunting licence or provide details: s61	Tier 6
Auckland Council Dog Management Bylaw 2012	
Power to impose reasonable conditions on the entry and presence of working dogs in prohibited areas: 6(2)	Parks Managers (Tier 5)

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to make temporary Changes to Dog Access Rules: 10	Parks Managers (Tier 5) Principal Rangers (Tier 6)
Powers to grant permission and impose reasonable conditions on the entry and presence of dogs in places with restricted access: Schedule 1	Parks Managers (Tier 5)
Powers to grant permission and impose reasonable conditions on the entry and presence of dogs in cemeteries: Schedule 1	Parks Managers (Tier 5)
Powers to grant permission and impose reasonable conditions on the entry and presence of dogs in camping grounds and holiday parks: Schedule 1	Team Leaders (Tier 6)
Manukau City Council General Nuisance, Safety and Behaviour in Parks and Public Places 2008	
All powers, duties and functions under clause 4.1(a) and (b) of this bylaw	Manager Local and Sports Parks South
Papakura District Council Public Places Bylaw 2008	
All powers, duties and functions under clause 3.4(b) and 18.1 of this bylaw	Manager Regional and Specialist Parks Manager Recreational Facilities and Service Delivery Manager Local and Sports Parks – South
Rodney District Council Use of Public Wharves and Boat Ramps Bylaw	
To be an authorised officer for the purposes of this bylaw.	Manager Local and Sports Parks North
Waitakere City Council Public Places Bylaw 2010	
Power to grant dispensation from complying with this bylaw in certain circumstances: 19.1	Cemetery Managers (Tier 6)

Auckland Council Delegations: Licensing and Compliance Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Licensing and Compliance Services

General Delegation

The Chief Executive delegates to:

- (a) all officers in the Licensing and Compliance Services Department all of his responsibilities, duties and powers relating to Licensing and Compliance Services; and
- (b) Hazardous Substances Inspection Services Ltd, Haztech Services Ltd, Global Security, City Watch, ADT Armourguard and Animal Management all of his responsibilities, duties and powers to the extent necessary for those companies to fulfil their contractual obligations

subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Licensing and Compliance Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Licensing and Compliance Services** means the licensing, permitting and enforcement of activities associated with environmental stewardship, including liquor, animal management, food safety, environmental health, bylaws, contaminated sites, noise and other regulatory functions.
- **Licensing and Compliance Services Department** means:
 - a) the Council department of that name, and comprising the Manager Licensing and Compliance Services and all Licensing and Compliance Services roles that report directly or indirectly to the Manager Licensing and Compliance Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Licensing and Compliance Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Licensing and Compliance Services Department

Description of role	Level of Authority
General Manager Licensing and Compliance Services	Tier 3
Manager Alcohol Licensing	Tier 4
Manager Environmental Health	
Manager Bylaws and Compliance	
Manager Animal Management	
Manager Customer Experience and Engagement	
Manager Administration Services	
Any other Council officers reporting directly to the Licensing and Compliance Services Department	
Council officers reporting directly to Tier 4 Council officers in the Licensing and Compliance Services Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Licensing and Compliance Services Department	Tier 6
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Licensing and Compliance Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Licensing and Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint a person to be an authorised officer for a bylaw.	Tier 4
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 4
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to prosecute for dog control infringements.	Animal Management Contracts Manager Team Leader Animal Management
Power to decide whether to prosecute for health, food premises and bylaw infringements.	Tier 4
Power to decide whether to prosecute for enforcement of resource management infringements.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Liquor Licensing	
Power to exercise all functions of the Secretary of the Auckland District Licensing Committee.	Manager Alcohol Licensing Principal Advisor Hearings (Democracy Services)
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, up to the value of \$50,000 for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Regulatory	
Power to initiate oil spill prosecutions (other than under RMA)	Director Regulatory Services
Statutory functions, powers and duties	Minimum level of authority required
Biosecurity Act 1993	
Duty to prepare operational plans and annual reports and circulate them to certain persons: s85	Tier 4
Conservation Act 1987	
Power to request any information held by the Department in relation to the ownership of dogs: 26ZZN	Tier 5
Cremation Regulations 1973	
Power to impose conditions in respect of cremations in cemeteries or burial grounds: cl 11	Tier 4
Dog Control (Prescribed Forms) Regulations 1996	
Power to alter forms prescribed by regulations: s3	Tier 3
Dog Control Act 1996	
Power, either singly or jointly, to promote responsible dog ownership and the welfare of dogs and power to make grants to organisations for purposes of care, custody, training and welfare of dogs, and engage in publicity in furthering those purposes: s6	Tier 3
Power to appoint dog control officers and dog rangers and to supply a warrant of appointment: ss11, 12 and 13(1)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to require neutering of menacing dog classified as menacing by another territorial authority when subsequently registered with this Council, and power to require production of a certificate issued by a veterinarian confirming that dog had been neutered or is unfit to be: s 33EB	Tier 5
Duty to classify certain dogs as dangerous or menacing unless satisfied that circumstances were exceptional and do not justify such a classification: s 33ED	Tier 5
Power to authorise any person to issue infringement notices: s66	Tier 4
Power to operate a dog pound, or enter into an agreement with any person for the provision of custody, care and exercise of impounded, seized or committed dogs: s67	Tier 3
Power to sell, destroy or otherwise dispose of dog after 7 days following seizure when owner of the dog is not known and cannot be identified: s69(3)	Tier 5
Duty to return dog removed for barking if satisfied the return of the dog will not result in the resumption of the nuisance, subject to section 70(6) of this Act: s70(3)	Tier 5
Duty to keep dogs in custody until satisfied that certain conditions are met: s70(5)	Tier 5
Power to dispose of dog in manner authorised by section 69 of this Act: s 70(7)	Tier 5
Duties relating to the custody of dogs: ss71(1)(d), 71(2), 71(3), 71(5)	Tier 5
Power to apply fees to the sustenance of any dog kept in custody under this section and power to require the payment of those fees before any dog is returned: s 71(7)	Tier 5
Power to dispose of dog in custody in the manner authorised by section 69(3) of this Act: s 71(8)	Tier 5
Power to dispose of dog seized under section 15 or section 33EC of this Act in any manner thought fit, provided certain circumstances and requirements are met and required notifications given: s 71A	Tier 5
Power to apply fees to the sustenance of a dog kept in custody under this section and power to require fees to be paid before the dog is returned under this section of the Act: s 71A(5)	Tier 5
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 3
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 3
Hazardous Substances and New Organisms Act 1996	
Powers of enforcement under this Act: s97(1)(h)	Hazardous Substances Inspection Services Ltd Haztech Services Ltd

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to appoint district hazardous substances officers to enforce the provisions of this Act: s98(1)	Tier 4
Duty to notify the Authority of the place of work of enforcement officers and nature and level of enforcement to be provided: s 98(2)	Tier 4
Power to cancel a compliance order: s 108(2)	Tier 4
Duty to consider an application from a person directly affected by a compliance order, to change or cancel the order: s 108(7)	Tier 4
Health (Registration of Premises) Regulations 1966	
Power to revoke registration of premises: s9(3) and (4)	Team Leader Environmental Health
Health Act 1956	
Power to appoint Environmental Health Officers: s23(a)	Tier 4
Power to raise loans for sanitary works. Conditional on being in accordance with the Long Term Plan: 27	Group Chief Financial Officer
Duty to appoint suitably qualified environmental health officers: s28	Tier 4
Power to advance money to an owner upon whom an order or notice is served: s 53C	Tier 4
Power to appeal against the decision of another local authority to give consent to an offensive trade: s 55(2)	Team Leader Environmental Health Team Leader Bylaws and Compliance
Power to authorise an environmental health officer to enter premises: s 81	Tier 4
Power to authorise entry and inspection of specified facilities: s 128	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Impounding Act 1955	
Duty to provide and maintain a public pound and provide for separate holding of infected stock: s3	Tier 6
Power to make contributions towards the administration costs of a joint pound: 4	Tier 3
Power to appoint poundkeepers and rangers: s8 and 9	Tier 4
Power to remove or suspend the poundkeeper or deputy poundkeeper: s10	Tier 4
Litter Act 1979	
Power to appoint Litter Control Officers: s5	Tier 4
Local Government Act 2002	
Power to appoint enforcement officers: s 177	Tier 4
Local Government (Auckland Council) Act 2009	
Power to appoint persons to be enforcement officers under section 177 of the Local Government Act 2002 for the purposes of ensuring compliance by any person with any exercise of a power conferred on an Auckland water organisation by this Part: s71	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Licensing and Compliance Services Department).	Tier 3
Maritime Transport Act 1994	
Power to appoint enforcement officers and honorary enforcement officers: s33G	Tier 4
Power to appoint a Regional On-Scene Commander and alternate Regional On-Scene Commanders: s318	Tier 4
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Racing Act 2003	
Power to grant or refuse a territorial authority consent: s65C.	Manager Alcohol Licensing
Sale of Liquor Act 1989	
All powers, duties and functions, except: <ul style="list-style-type: none"> Power to issue a certificate that the proposed use of the premises meets requirements of the Resource Management Act 1991 and of the building code: s9(1)(e); 31(1)(e); 55(1)(e). (These powers cannot be exercised by any officers in the Licensing and Compliance Services Department).	Tier 4
Power to appoint licensing inspectors (alcohol): s197(1)	Tier 4
Sale of Liquor Regulations 1990	
All powers, duties and functions, except: <ul style="list-style-type: none"> Power to issue a certificate stating that proposed use of premises meets town planning requirements: s5, 8, 11. (These powers cannot be exercised by any officers in the Licensing and Compliance Services Department).	Tier 4
Signage Bylaw 2015	
Power to make a decision on applications for an exemption from any clause in the Signage Bylaw 2015	Team Leader
Power to approve the display of publicly visible signage on a roof of any building: (clause 7(1)(b)(i))	Team Leader
Power to approve the display of signage on street furniture, road, bridge, underpass, overpass, tree or other AT/AC infrastructure (clause 7(2))	Team Leader
Power to approve the display of publicly visible signage on, or in close proximity to, a scheduled historic heritage place (clause 7(3))	Team Leader
Power to approve the display of portable signage for premises that do not have ground floor frontage and direct floor access to the road or public place (clause 14(4))	Team Leader
Power to approve the display of stencil signage or similar marking advertising services or products and impose conditions (clause 15(1)(b) and 15(2))	Team Leader
Power to approve the approval of multi-functional pole or light pole for attachment of a vertical banner (clause 18(4)(d))	Team Leader
Power to approve the display of signage in sports and active recreation zones (clause 22(4)(f))	Team Leader
Power to approve the display of signage in any public open space (clause 22(6)(b))	Team Leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Waste Minimisation Act 2008	
Power to appoint an enforcement officer: s76	Tier 4
Wildlife Act 1953	
Power to appoint inspectors under the Act: s 48	Tier 4
Power to authorise a person to be able to demand that a person on council controlled land produce a hunting licence or provide details: s61	Tier 4
Auckland City Council Bathing, Health and Beauty Facilities Bylaw 2008	
Power to issue a licence for a beauty therapy clinic, health and fitness centre, or massage premises: 5.2.2	Tier 6
Power to grant a dispensation from the requirements of this bylaw: 5.8.1	Tier 4
Auckland City Council Brothels and Commercial Sex Premises Bylaw 2003	
Power to issue brothel licence: 30.6.4	Tier 6
Power to determine expiry date of brothel licence 30.6.7	Team Leader Environmental Health Team Leader Bylaws and Compliance
Auckland City Council Environmental Protection Bylaw 2008	
Power to authorise an alternative alarm time limitation: 13.6.2.b	Regional Manager Environmental Control Team Leader Environmental Health
Power to disconnect any intruder alarm that is causing a noise nuisance to neighbouring properties, conditional on instruction from a council employee and where entry into premises is required, a police officer must be in attendance: 13.6.6	Night Time Noise Control Inspector Specialist Noise Assessor ADT Armourguard
Auckland Council Dog Management Bylaw 2012	
All powers, duties and functions	Animal Control Officers
Power to impose reasonable conditions on the entry and presence of working dogs in prohibited areas: 6(2)	Animal Control Officers
Power to make temporary Changes to Dog Access Rules: 10	Tier 4
Power to make controls for multiple dog licenses: 13	Manager Licensing and Compliance Services
Power to require an owner to neuter an uncontrolled dog: 14	Animal Control Officers
Franklin District Council Food Hygiene Bylaw 2010	
Power to cancel, withdraw or amend grading certificate following further inspections: 6(d)	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Duty to consider applications for regarding of premises and power to set further inspection fee: 6(f)	Tier 6
Duty to hear appeals against a grading or requirement and power to confirm, reverse or modify grading or requirement: 7(b)	Team Leader Environmental Health
Franklin District Council Keeping of Animals, Poultry and Bees Bylaw 2007	
Power to give and withdraw written permission for keeping of pigs, livestock, poultry, bees in any urban area: 6(4), 7(1), 8(1)(b), 8(1)(e), 9(1), 10(1), 10(2)	Team Leader Environmental Health Team Leader Bylaws and Compliance
Franklin District Council Liquor Control Bylaw 2008	
All powers duties and functions under the Bylaw	Team Leader Liquor Licensing
Franklin District Council Trading in Public Places Bylaw 2008	
Power to issue licences to permit the sale of goods in any public place: 5	Tier 6
Power to impose conditions when granting licences: 8	Tier 6
Power to waive payment of licence fee for applications solely for fundraising purposes: 9(2)	Team Leader Environmental Health
Power to initiate market, stall or stand for community benefit that is exempt from Bylaw: 13(d)	Team Leader Environmental Health Team Leader Bylaws and Compliance
Manukau City Council Events and Trading in Parks and Public Places Bylaw 2008	
Power to issue a trading permit: 3.3	Tier 6
Manukau City Council Food Hygiene and Food Handlers Training Bylaw 1992	
Power to confirm, reverse or modify grading or requirement on appeal: 4.2	Tier 6
Manukau City Council General Administration Bylaw 2008	
Power to require information on applications for permit, licence, consent or approval: 2.2	Team Leader Environmental Health Team Leader Bylaws and Compliance
All remaining powers duties and functions	Tier 3
Manukau City Council Liquor Control Bylaw 2010	
All powers, functions and duties	Team Leader Alcohol Licensing
Manukau City Council Offensive Trades Bylaw 2008	
Power to issue permit for offensive trade premises:	Team Leader Environmental Health

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
North Shore City Council Food Safety Bylaw	
All powers, functions and duties	Team Leader Environmental Health
North Shore City Council Keeping Animals, Poultry and Bees Bylaw	
Power, on application by a person, to review a decision to decline or revoke an application for consent: 5.11.5	Team Leader Bylaws and Compliance Animal Control Officers
North Shore City Council Liquor Control in Public Places Bylaw	
Duty to notify the prohibition in clause 24.3.1 of this bylaw, subject to section 170 of the Local Government Act 2002: 24.3.1	Tier 4
Power to grant a waiver, dispensation or licence to do or refrain from doing anything which would otherwise be in breach of this Bylaw for the purpose of enabling possession and/or consumption of liquor in a public place at the time of any special event: 24.7.1	Tier 4
North Shore City Council Safe Piercing of Skin Bylaw	
Power to appoint authorised officers for the purposes of this bylaw.	Tier 4
North Shore City Council Swimming, Health and Beauty Facilities Bylaws	
Power to appoint Environmental Health Officers under the Health Act 1956 as authorised officers for the purposes of this bylaw.	Tier 4
North Shore City Council Trading in Public Places Bylaw	
All functions, duties and powers except the power to be an authorised officer for the purposes of this bylaw. (All officers can exercise this power).	Team Leader Environmental Health Team Leader Bylaws and Compliance
North Shore City Council Wastewater Bylaw	
Power to appoint Environmental Health Officers under the Health Act 1956 as authorised officers for the purposes of this bylaw.	Team Leader Environmental Health
Papakura District Council Control of Advertising Signs Bylaw 2008	
Power to decide that signs will or do affect traffic safety: 5.1	Tier 5
Power to remove without notice signs on council owned or controlled land that do not comply with this bylaw: 17.4 and 17.5	Tier 6
Duty to release impounded signs to owners following payment of removal and storage costs incurred: 17.5	Team Leader Environmental Health Team Leader Bylaws and Compliance
Power to remove signs that do not comply or that are determined to be unsafe: App 1: 7(1)	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to recover removal, storage and administrative signs from candidates for election signs App 1: 7(2): 7(2)	Team Leader Environmental Health Team Leader Bylaws and Compliance
All remaining functions, duties and powers under the bylaw	Team Leader Environmental Health Team Leader Bylaws and Compliance
Papakura District Council Keeping of Animals, Poultry and Bees Bylaw 2008	
All powers, duties and functions	Team Leader Environmental Health Team Leader Administration Services Team Leader Bylaws and Compliance
Papakura District Council Liquor Control in Public Places Bylaw 2008	
All powers, duties and functions	Team Leader Environmental Health Team Leader Bylaws and Compliance
Papakura District Council Public Places Bylaw 2008	
All powers, duties and functions	Team Leader Environmental Health Team Leader Bylaws and Compliance
Rodney District Council Bylaw Administration Bylaw	
Power to immediately revoke or suspend any licence: 5.1 and 5.3	Tier 4
Power to, by notice in writing call upon the licence holder to appear before the Council and give reasons why the licence should not be revoked or suspended: 5.2	Tier 4
Rodney District Council Liquor Ban Bylaw	
Duty to give public notice of any waiver or dispensation is granted: 4.4	Tier 4
Duty to publicly notify Council resolutions specifying public places: 5.2	Team Leader Alcohol Licensing
Rodney District Council Trading in Public Places Bylaw	
Power to apply to the District Court for an injunction: 6.2	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Waitakere City Council Control of Intruder Alarm Systems Bylaw 2010	
Power to apply to the District Court for an injunction restraining a person from committing a breach of this bylaw: 9.5	Manager Regional Environmental Control Team Leader Environmental Health
Waitakere City Council Public Places Bylaw 2010	
Power to, on an application in writing, grant dispensation from complying with this bylaw: 19.1	Tier 4

Auckland Council Delegations: Building Consents

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*

Building Consents

General Delegation

The Chief Executive Officer delegates to all officers in the Building Consents Department all of his responsibilities, duties and powers relating to Building Consents, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Building Consents matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Building Consents** means building related services associated with Council's responsibilities under the Building Act, Building Regulations, Local Government Act. and other legislation or standards.
- **Building Consents Department** means:
 - a) the Council department of that name, and comprising the General Manager Building Consents and all Building Consents roles that report directly or indirectly to the General Manager Building Consents; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Building Control Department as at 30 June 2011.
- **MBIE means Ministry of Business Innovation and Employment**

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Building Control Department

Description of role	Level of Authority
General Manager Building Consents	Tier 3
Manager Capability	Tier 4
Manager Project Assessment South	
Manager Project Assessment Central	
Manager Project Assessment North West	
Manager Field Surveying	
Manager Premium	
Manager Regulatory Support	
Any other Council officer reporting directly to the General Manager Building Consents	
Council officers reporting directly to Tier 4 Council officers in the Building Consents Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Building Consents Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Building Consents Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Building Consents Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Building Consents Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint a person to be an authorised officer for a bylaw.	Tier 3
Employment	
Power to hire staff	Tier 3
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/Koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Manager Integrity and Investigations and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Manager Integrity and Investigations and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with General Counsel and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with General Counsel and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with General Counsel and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Regulatory and Enforcement.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with General Counsel and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Regulatory and Enforcement and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with General Counsel and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with General Counsel and reporting any payments to the relevant committee.	Tier 3
Power to instruct an external law firm to act on behalf of Council in respect of an eDealing, or non-eDealing transaction relating to the creation, discharge, surrender, variation, or replacement of instruments required under the Buildings Acts 1991 or 2004 or under any building consent (or former building permit), or in order to satisfy a condition under a building consent, together with granting a consent under any such instrument required for the creation or registration of another instrument.	Tier 5
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction.	One Tier 5 and one Tier 6
Power to decide whether to prosecute for enforcement of building infringements.	Tier 4
Development Contributions	
Power to amend the amount of development contributions invoiced to resource or building consent holders following consultation with Manager Financial Policy	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Weathertight homes	
Power to sign compensation certificates and withdrawal of compensation certificates over land involved in weathertight homes claims.	Tier 3
Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 3
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 3
Building Act 2004	
Power to retain 3% of the levies for which the territorial authority is liable under section 59, in any month: 60	Tier 3
Power to recover unpaid levies under section 53 from applicant for building consent: 62	Tier 4
Power to apply to District Court for an order authorising building work: 126(1)	Tier 4
Duty to give prior notice to building owner of court application under section 126(1) of this Act: 126(2)	Tier 4
Power to recover costs of building work from owner: 126(3)	Tier 4
Power to recover costs from owner where measures to avoid immediate danger are taken under warrant of the Chief Executive of Auckland Council: 129	Tier 4
Power to issue a warrant to cause any action to be taken that is necessary to remove immediate danger or fix insanitary conditions: section 129(2)	Tier 3
Duty to apply to District Court for confirmation of warrant under section 129 of this Act, except where owner agrees: 130	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
<i>Dams</i>	
Duty as regional authority to receive classification of and certificate for dam from the dam owner: 135	Tier 3
Power as regional authority to approve or refuse dam classification and duty to give written notice of that classification to the owner: 136	Tier 3
Duty as regional authority to require re-audit of dam classification and power to specify re-audit time required: 138	Tier 3
Duty as regional authority to receive dam safety assurance programme from dam owner: 142	Tier 3
Power as regional authority to approve or refuse dam safety assurance programme: 143	Tier 3
Duty as regional authority to require re-audit of dam safety assurance programme if refused and power to specify re-audit time required: 145	Tier 3
Power as regional authority to require review of dam safety assurance programme where dam is earthquake or flood prone: 146(2)	Tier 3
Duty as regional authority to receive annual dam compliance certificate: 150	Tier 3
Duty as regional authority to maintain register of dams: 151	Tier 3
Duty as regional authority to provide information to Chief Executive of MBIE: 152	Tier 3
Power as regional authority to fence off or signpost a dangerous dam and give notice requiring work to be carried out to reduce or remove the danger within no less than 10 days: 154	Tier 3
Duty as regional authority to affix written notice to dam and provide copies to required parties: 155	Tier 3
Power as regional authority to District Court for an order authorising building work and duty to give prior notice to dam owner: 156	Tier 3
Power to recover costs of building work from owner: 156(3)	Tier 3
Power as regional authority, if warranted by the Chief Executive to take measures to remove immediate dam danger and to recover costs from owner: 157	Tier 3
Duty as regional authority to apply to District Court for confirmation of warrant under section 157 except where owner agrees: 158	Tier 3
Duty as regional authority to review section 161 policy on dangerous dams every five years: 162	Tier 3
<i>Other matters</i>	
Power to appeal in District Court against decision of Chief Executive of MBIE: 208	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Duty to notify appeal to Chief Executive of MBIE and any other party: 210	Tier 4
Duty to gain and maintain accreditation and registration as Building Consents Authority: 215	Tier 3
Duty to provide information to the Chief Executive of MBIE: 218	Tier 3
Power to apply to District Court for order authorising Council to carry out building work on default: 220(2)	Tier 4
Duty to give prior notice of court application under section 220(2) of this Act to building owner: 220(3)	Tier 4
Power to recover costs of building work from owner: 220(4)	Tier 4
Power to authorise officer to issue infringement notices, and consequent duty to provide officer with warrant: s371B(2).	Tier 4
Duty as regional authority to gain and maintain accreditation and registration as building consent authority in relation to dams: 241	Tier 3
Duty as regional authority to provide information to the Chief Executive of MBIE: 242	Tier 3
Power as regional authority to impose fees or charges for services provided under Building Act and duty to collect the levy under section 53 payable to Chief Executive of MBIE: 243(1)	Tier 3
Power to refuse service where the fees, charges or levy are not paid: 243(2)	Tier 3
Building (Accreditation of Building Consent Authorities) Regulations 2006	
All functions, duties and powers	General Manager Building Consents
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 3
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 3
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 3
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 3
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 4
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Act 1974	
Power to allocate numbers, and change the number allocated, to any area of land or building within the council's district: s319B(1)	Tier 4
Local Government Act 2002	
Power to make application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw: 162	Tier 3
Power to enter any land or building other than a dwellinghouse for the purpose of doing anything that the local authority is empowered to do under the Act or any other Act: 171	Tier 4
Power to appoint enforcement officers: 177	Tier 4
Power to contract out administration of enforcement: 179	Tier 4
Power to execute works if the owner or occupier defaults, and recover costs: 186	Tier 4
Power to recover costs and reasonable administrative and supervision charges for work authorised to be carried out in a default situation: 187	Tier 4
Local Government (Auckland Council) Act 2009	
Power to appoint persons to be enforcement officers under section 177 of the Local Government Act 2002 for the purposes of ensuring compliance by any person with any exercise of a power conferred on an Auckland water organisation by this Part: 71	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Building Consents Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Auckland City Council Construction Bylaw 2008	
To be an authorised officer for Auckland City Council Construction Bylaw 2008: 6.1.1	Manager Field Surveying

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to permit a portion of an opening window over a public place to be less than 2.5 metres above the public place: 6.3.6	Manager Field Surveying
Power to consent to a private connection to a public sewer being constructed, repaired or renewed: 6.4.3	Manager Field Surveying
Power to grant the sharing of a private drain with conditions: 6.4.5	Manager Field Surveying
Power to permit a person to cause or allow wastewater to enter any foul water sewer or any drain connected to such sewer: 6.4.6	Manager Field Surveying
Auckland Council Public Safety and Nuisance Bylaw 2013	
Power to approve the use of a public place to erect, construct, or place a building, structure, tent or projection of a building structure or tent or any part thereof, on, under, over or across a public place: 8(1)(b)	Tier 4
Power to remove or cause to be removed from any public place any material or thing using that public place in breach of the Auckland Council Public Safety and Nuisance Bylaw 2013: 12(1).	Tier 5
North Shore City Council Public Places Bylaw	
Power to authorise the construction, repair, removal or widening of a vehicle crossing in a public place: 2.11.1	Team Leader Compliance and Enforcement

Auckland Council Delegations: Arts, Community and Events

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Arts, Community and Events

General Delegation

The Chief Executive Officer delegates to the Director Community Services and all officers in the Arts, Community and Events Department all of his responsibilities, duties and powers relating to Arts, Community and Events subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Arts, Community and Events matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Arts, Community and Events** means all those functions related to working with communities to provide services, programmes, events and facilities that strengthen and connect communities and create a sense of belonging and pride
- **Arts, Community and Events Department** means the Council department of that name, and comprising the Director Community Services and the General Manager Arts, Community and Events and all roles that report directly or indirectly to the General Manager Arts, Community and Events; and any department (whatever its name) that performs or exercises the same or a substantially similar role.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Arts, Community and Events Department

Description of role	Level of Authority
Director Community Services	Tier 3
General Manager Arts, Community and Events	
Any Council officer reporting directly to the General Manager Arts, Community and Events	Tier 4
Council officers reporting directly to Tier 4 Council officers in the Arts, Community and Events Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Arts, Community and Events Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Arts, Community and Events Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Arts, Community and Events Department: Restrictions /limitations

The following functions, powers or duties may only be exercised by an officer in the Arts, Community and Events Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint authorised officers for bylaw purposes	Tier 3
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Events Organisation	
Power to waive, in whole or part, Council charges for events that are held in support of or at the request of the council, or are held under a council programme of events, or contribute to council objectives.	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Property	
Power to approve minor land purchases or sales, up to the value of \$50,000 for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 5 Place Managers Service Delivery Coordinators
Power to enter into, approve and sign any agreement with a community-based entity including, but not limited to, any agreement that grants a licence to occupy and use any community centre that is owned or leased by Auckland Council.	Tier 4
Power to grant landowner approval in relation to an application for a special alcohol licence	Tier 5
Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Arts, Community and Events department). 	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Reserves Act 1977	
Ministerial powers, functions and duties under the Reserves Act 1977 as set out in the Minister's "Instrument of Delegation for Territorial Authorities" dated 12 June 2013 (attached as document number 33 of the Delegations Register).	Tier 3
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property s2	Tier 4
Power to warn a trespasser to leave the property: s3	Tier 5 Place Managers Service Delivery Coordinators
Power to warn a trespasser to stay off the property: s4(1) and (2)	Tier 5 Place Managers Service Delivery Coordinators
Power to require that a person give name and other particulars: s9(1).	Tier 5 Place Managers Service Delivery Coordinators

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Auckland City Council Public Places Bylaw 2008	
Power to apply the provisions of Bylaw No. 1 (Bylaw Administration Bylaw) to enforcement of this bylaw: cl 20.8.1	Tier 5
Power to remove or alter the material or things constructed in breach of this bylaw: cl 20.8.3	Tier 5
Power to recover from any person responsible for the breach of the bylaw all expenses incurred: cl 20.8.4	Tier 5
Power to take immediate steps to rectify the defect and recover the costs: cl 20.8.7	Tier 5
Power to require a person found to be committing a breach of this bylaw to immediately cease an activity, leave a public place and not return to the public place: cl 20.8.8	Tier 5
Auckland Council Dog Management Bylaw 2012	
Power to make temporary Changes to Dog Access Rules: 10	'Area' Team Leaders Tier 6
Powers to grant permission and impose reasonable conditions on the entry and presence of dogs in places with restricted access: Schedule 1	'Area' Team Leaders Tier 6

Auckland Council Delegations: Libraries and Information

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*

Libraries and Information

General Delegation

The Chief Executive Officer delegates to the Director Community Services and all officers in the Libraries and Information Department all of his responsibilities, duties and powers relating to Libraries and Information, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Libraries and Information matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

The Libraries and Information Department is part of the Community Services Directorate and for the avoidance of doubt, the Director of Community Services has all the functions, duties and powers delegated to the departments in the Directorate.

For the purposes of this delegation:

- **Libraries and Information** means the provision of library and information services and all related services.
- **Libraries and Information Department** means the Council department of that name, and comprising the Director Community Services and the General Manager Libraries and Information and all Libraries and Information roles that report directly or indirectly to the General Manager Libraries and Information; and any department (whatever its name) that performs or exercises the same or a substantially similar role.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Libraries and Information Department

Description of role	Level of Authority
Director Community Services General Manager Libraries and Information	Tier 3
Manager Regional Collections Manager Digital Service Manager Digital and Service Development Manager Customer Experience City, Heritage and Research Manager Customer Experience North and West Manager Customer Experience South and East Any other Council officer reporting directly to the General Manager Libraries and Information	Tier 4
Council officers reporting directly to Tier 4 Council officers in the Libraries and Information Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Libraries and Information Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Libraries and Information Department	Tier 7
Council officers reporting directly to Tier 7 Council officers in the Libraries and Information Department	Tier 8
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Libraries and Information Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Libraries and Information department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4
Power to terminate staff	Tier 5 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 4
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Library	
Power to fix charges for using library premises for events and exhibitions.	Tier 4
The power to dispose of library collection assets	Tier 7
The power to dispose of library heritage collection assets	Tier 3 Manager Regional Resources
The power to write off missing library collection assets after two years	Manager Regional Resources
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 5
Power to close a premises / facility in an emergency situation.	Tier 6
Statutory functions, powers and duties	
Copyright Act 1994	
Power of librarian or archivist to copy any item of the library or archive for the purpose of preserving or replacing that item: s55	Manager Digital Services Manager Regional Heritage and Research Regional Resources Tier 5
Power to copy certain unpublished library or archive works: s56	Manager Digital Services Manager Regional Heritage and Research Regional Resources Tier 5
Power to communicate digital copy to authenticated users: s56A	Manager Digital Services Manager Regional Heritage and Research Regional Resources Tier 5
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66	Tier 3
Power to refuse request of employee for flexible working on certain grounds: 69AAF	Tier 3
Grey Collection Exchange Act 1921	
Power to transfer certain books in the Grey Collection to the Board of Trustees of the South African Public Library, and power to receive in return books from the South African Public Library relating to Maori and to Polynesia: 2	Manager Regional Heritage and Research
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20	Tier 3
Power to require employees to take annual leave or discontinue work during close down period: s32	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35	Tier 3
Power to require an employee to work on a public holiday: s47	Tier 3
Power to allow bereavement leave in cases not automatically covered: s69	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4)	Tier 3
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A	Tier 4
New Zealand Library Association Act 1939	
Power to become a member of the Association: s5	Tier 3
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2) (These powers cannot be exercised by any officers in the Libraries and Information department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993	Tier 3
Property Law Act 2007	
Power to execute a deed: s9	Tier 3
Power to sign dispositions of interests in land and other property: s25	Tier 3
Power to assign things in action: s50	Tier 3
Trespass Act 1980	
Power to warn a trespasser to leave the property. s3	Librarians-in-charge Tier 7
Power to either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the property. s4	Librarians-in-charge Tier 7
Power to, where there is reasonable cause to suspect that any person is likely to trespass on the property, warn that person to stay off the property. s4	Librarians-in-charge Tier 7
Power to require that a person give name and other particulars. S9	Librarians-in-charge Tier 7

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Auckland Council Dog Management Bylaw 2012	
Power to grant permission and impose reasonable conditions on the entry and presence of dogs in places with restricted access: Schedule 1	'Area' Manager Tier 4

Auckland Council Delegations: Infrastructure and Environmental Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Infrastructure and Environmental Services

General Delegation

The Chief Executive Officer delegates to all officers in the Infrastructure and Environmental Services Department all of his responsibilities, duties and powers relating to Infrastructure and Environmental Services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Infrastructure and Environmental Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Infrastructure and Environmental Services** means all those functions related to managing regional stormwater and waste services, and maintaining and enhancing the quality of the region's natural, cultural, and built environments.
- **Infrastructure and Environmental Services Department** means:
 - a) the Council department of that name, and comprising the Manager Infrastructure and Environmental Services and all Infrastructure and Environmental Services roles that report directly or indirectly to the Manager Infrastructure and Environmental Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Infrastructure and Environmental Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Infrastructure and Environmental Services Department

Description of role	Level of Authority
General Manager Infrastructure and Environmental Services	Tier 3
Manager Environmental Services	Tier 4
Manager Solid Waste	
Manager Special Projects	
Manager Stormwater	
Chief Engineer	
Departmental Strategy and Stakeholder Liaison	
Any other Council officer reporting directly to the General Manager Infrastructure and Environmental Services	
Council officers reporting directly to Tier 4 Council officers in the Infrastructure and Environmental Services Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Infrastructure and Environmental Services Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Infrastructure and Environmental Services Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Infrastructure and Environmental Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Infrastructure and Environmental Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint a person to be an authorised officer for a bylaw.	Tier 3
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to make building consent applications relating to drainage works.	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to close a premises / facility in an emergency situation.	Tier 4
Regulatory	
Power to require the abandonment of racing or a variation to the rules and conditions in the interests of public safety.	Harbour Master
Power to authorise the removal of a wreck when there is an immediate risk to navigational safety or when there is a risk to the environment.	Harbour Master
Statutory functions, powers and duties	Minimum level of authority required
Biosecurity Act 1993	
Power to carry out monitoring and surveillance of pests, pest agents, and unwanted organisms for the purposes of Part 5 of this Act: s13(1)(a)	Manager Biosecurity
Power to provide for the assessment and management or eradication of pests: s13(1)(b)	Manager Biosecurity
Power to act as a management agency under a pest management strategy: s14(b)	Manager Biosecurity
Power to take any action provided for or required by any pest management strategy: s14(c)	Manager Biosecurity
Power to require a person who has given notice in writing (requesting that Council notify a proposal for a regional pest management strategy) to pay all or part of the costs of processing the proposal: s74	Manager Biosecurity
Power to refuse to notify suggested strategy in certain circumstances: s75	Manager Biosecurity
Duty to publicly notify a proposed regional pest management strategy: 72	Manager Biosecurity
Power to exempt any person from a specified requirement in any rule included in a regional pest management strategy: s78(1)	Manager Biosecurity
Power to exempt all persons or any specified class of persons, persons in any specified place, or persons responsible for specified goods or things, from any requirement in any rule included in a regional pest management strategy: s78(3)	Manager Biosecurity
Power to decide who shall be the management agency for a pest management strategy: s73	Manager Biosecurity
Power to in certain circumstances, appoint some other qualified body to be the management agency for that strategy and shall publicly notify any such appointment, without following the required procedure for amending the strategy: s100	Manager Biosecurity
Duty to prepare operational plans and annual reports and circulate them to certain persons: s100B	Manager Biosecurity

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to give approval in writing for the application of articles or substances from aircraft: s114A	Manager Biosecurity
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: s69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Litter Act 1979	
Power to appoint Litter Wardens: s8.	Manager Solid Waste Business Unit
Duty to provide and maintain suitable litter receptacles: s9(1)	Manager Solid Waste Business Unit
Power to require occupier of land or premises to undertake actions in relation to litter generated on or attributable to that land or premises: s9(2) and 9(3)	Manager Solid Waste Business Unit
Power to require owners of private property to clear litter from their property: s10	Manager Solid Waste Business Unit
Power to make grants or spend money for the abatement or prevention of litter: s11	Manager Solid Waste Business Unit
Local Government Act 2002	
Power to make application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw: s162	Tier 3
Power to recover for damage by wilful or negligent behaviour : 175	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Powers to construct water supply, trade wastes disposal and land drainage works on or under private land, and for sewage and stormwater drainage: s181(1) and (2)	Tier 4
Power to enter the land to inspect, alter, renew, repair, or clean any work constructed under this section or under the corresponding provision of a former Act: s181(4)	Tier 4
Power of entry in regard to inspection for water supply, drainage works or other utility service provision: s182	Tier 4
Duty to have a description of works and plan for public inspection: Schedule 12 clause 1(a)	Tier 4
Duty to give notice in writing of the intention to construct the works: Schedule 12 clause 1(b)	Tier 4
Duty to hear any objections: Schedule 12 clause 1(d)	Tier 4
Power to decide to abandon or proceed with works after hearing objections: Schedule 12 clause 1(e).	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Infrastructure and Environmental Services Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Public Works Act 1981	
Power to authorise any person to enter and re-enter onto private land for the purpose of survey, and to give reasonable notice to the owner of land: ss110(1) and 110(2)	Tier 4
Power to authorise any person to enter land for other survey and investigation purposes and to give 10 days notice to owner of entry to land: ss111(1) and 111(2)	Tier 4
Power, as network utility operator to make an application to the District Court to enter land and to serve order on owner: ss111A(2) and (5)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Soil Conservation and Rivers Control Act 1941	
Power as catchment Board to give written consent to the cutting, injuring, destroying, or removal of the whole or any part of any tree, shrub, plant, or grass, or any stone, mineral, or thing of any kind: s17	Tier 3
Power as catchment Board to destroy, sell or otherwise dispose of all unbranded animals trespassing in soil conservation reserves: s18	Tier 3
Power as catchment Board to deal with land not required in soil conservation reserves; To grant licences and permits for various activities and to dispose of land: s20	Tier 3
Power to apply to the Minister for Conservation for a grant or a loan on such terms and conditions as the Minister thinks fit: s30(1)	Tier 3
Power to accept any loan made by the Minister and to agree with the Minister for the repayment of the amount: s30(4)	Tier 3
Power to enter into a covenant binding the Council and its successors in title to perform and observe the terms and conditions upon which the grant or loan was made: s30A(1)	Tier 3
Power to register the land improvement agreement, or a variation or substitution to that agreement, against the title of that owner or occupier to the whole or any part of the land to which the agreement relates: ss30A(3) and 30A(4)	Tier 3
Power to, on the expiration or termination, either in whole or in part, of a registered land improvement agreement, sign a certificate to that effect and deposit it with the Registrar: s30A(5)	Tier 3
Power to on payment of a fee of deposit with the Registrar a certificate specifying the amount payable and unpaid under the agreement in respect of the default by any owner or occupier of the land and the registered estate or interest of that owner or occupier in any land against the title to which the agreement is registered: s30A(10)	Tier 3
Power to require the Board to investigate whether the number of members of representatives of a constituent district should be changed: s41(3A)	Tier 3
Power to appoint a person to fill an extraordinary vacancy: s56	Tier 3
Waste Minimisation Act 2008	
Power to make grants or advances of money to any person, organisation, group, or body of persons for the purpose of promoting or achieving waste management and minimisation on any terms or conditions that the council thinks fit: s47	Tier 3
Wild Animal Control Act 1977	
Power to respond to Director-General consultation on the farming of specified wild animals: s12	Manager Biosecurity
Power to apply funds for destruction of wild animals: s30	Manager Biosecurity
Duty to submit plans for destruction of wild animals for approval of	Manager Biosecurity

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Auckland Council Dog Management Bylaw 2012	
Power to impose reasonable conditions on the entry and presence of working dogs in prohibited areas: 6(2)	Manager Bio-security and Bio-diversity Tier 5
Power to make temporary Changes to Dog Access Rules: 10	Manager Bio-security and Bio-diversity Tier 5
Auckland Council Solid Waste Bylaw 2012	
Power to approve in writing the removal of a container provided by the council for the premises to which the container has been allocated: 9(3)	Manager Solid Waste
Power to specify any place, or receptacle or in a public place or a barge in a marine area as a council collection point for the collection of domestic waste: 11(1)(a)	Manager Solid Waste
Power to specify controls relating to the deposit of waste at the council collection points: 11(1)(b)	Manager Solid Waste
Power to authorise the collection of prohibited waste, diverted material, construction and demolition waste or commercial waste from a public place: 13(2)	Manager Solid Waste
Power to approve a greater amount than 30 cubic metres of clean fill material to be deposited on the land without the need for a license: 15(2)(a)	Manager Solid Waste
Power to determine the amount of recyclable material or organic matter present in waste that is disposed to land and not subject to the need for compliance with clause 15(1): 15(2)(b)	Manager Solid Waste
Power to grant a licence to operate a resource recovery facility, landfill site, clean fill site, managed fill site or mono-fill site: 16(1)	Manager Solid Waste Manager Assets and Business Services
Power to impose terms and conditions to licenses granted under 16(1)	Manager Solid Waste
Power to prescribe the form and supporting information needed to apply for a license: 17(1)	Manager Solid Waste
Power to determine the terms and conditions for a license: 17(3)	Manager Solid Waste
Power to determine licences fees: 19(1)(b)	Manager Solid Waste
Power to determine the amount of bond to be paid by a licence holder: 19(1)(c)	Manager Solid Waste
Power to prescribe the form and frequency of provision of waste data to the council by licence holders: 19(1)(e)	Manager Solid Waste
Duty to take all reasonable steps to keep commercially sensitive information confidential: 19(2)	Manager Solid Waste
Power to approve events waste management and minimisation plans: 23(1)	Manager Solid Waste

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to specify areas where inorganic material may be deposited on a public place for collection by the council: 24(2)	Manager Waste Operations
Power to specify controls for the collection of inorganic material from a public place: 25(1)	Manager Waste Operations
Power to grant a licence to place donation collection points on public places or private places where the donated goods are likely to be or carried from or escape from the premises onto a public place: 29(1)	Manager Solid Waste
Power to review a waste collector, waste facility or donation collection point where the holder does not comply with the terms and conditions of the licence: 31(b)	Manager Solid Waste
Power to recourse to any performance bond or security where the council has incurred in any costs as a result of the breach of licence conditions including where the council has itself performed or arranged for the performance of any licensed activity on the default of the licence holder: 31(c)	Manager Solid Waste
Power to approve an industry accord in relation to clauses 28 or 30 of the Auckland Council Solid Waste Bylaw: 36	Manager Infrastructure and Environmental Services
Auckland Council Solid Waste Bylaw 2012 – Containers for Kerbside Collection Controls 2013	
Power to specify commercial, urban and rural waste collection areas: 6	Manager Solid Waste
Power to exempt a person or company with compliance with controls: 8(2)	Manager Solid Waste
Power to approve an extension of the hours of placement and collection of containers containing domestic or commercial waste: 8(3) and 8(4)	Manager Solid Waste
Power to approve exemptions to the placing of containers in commercial centres: 9(2)	Manager Solid Waste
Power to approve extension of the hours for the placement and collection of any container in a commercial waste collection area or high density collection area: 9(9)	Manager Solid Waste
Power to request cost recovery from removal of waste containers belonging to a third party pursuant to clause 32(1) of the bylaw and control 10(4): 10(6)	Manager Solid Waste
Power to approve a waste container (bin) not contained in the standards of the Containers for Kerbside Collection Controls: Attachment to controls	Manager Waste Planning
Power to approve a waste container (bag) not contained in the standards of the Containers for Kerbside Collection Controls: Attachment to controls	Manager Waste Operations Manager Waste Planning

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Auckland Council Solid Waste Bylaw 2012 – Separation of Domestic Waste Control	
Power to approve pest plants to be deposited in a refuse container left for collection from a public place: 9(2)	Manager Solid Waste
North Shore City Council Wastewater Bylaw	
All powers, duties and functions under the Bylaw	Tier 4
Rodney District Council Use of Public Wharves and Boat Ramps Bylaw	
Power to repair any damage done to any wharf by a vessel: 3.2.	Harbour Master
Power to take any court action to cover the cost for repair of damage to any wharf from the master or owner of the vessel.: 3.2	Harbour Master
Power to apply to the appropriate court for the recovery of expenses incurred in the removal of a vessel to another place of reasonable safety: 12.2	Harbour Master
Power to sell goods in default of payment of any fees or payment due in respect of any goods left for more than 48 hours on any wharf or boat ramp or where any such goods hinder the loading or unloading of any vessel, or are an impediment to the approaches of any wharf or boat ramp: 15.1	Harbour Master
Rodney District Council Wastewater Drainage Bylaw	
All powers duties and functions under this bylaw	Stormwater Manager
Stormwater Bylaw 2015	
All powers, duties and functions in the bylaw except those specified in clauses 6, 8, 14(1) and (2), 15(2), 16(5). (Those powers cannot be exercised by any officers in the Infrastructure and Environmental Services department – all other powers to be exercised by Tier 3 Manager Infrastructure and Environmental Services department (GB/2015/78)).	Tier 3 Manager – Infrastructure and Environmental Services department

Auckland Council Delegations: Resource Consents

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Resource Consents

General Delegation

The Chief Executive delegates to all officers in the Resource Consents Department all of his responsibilities, duties and powers relating to Resource Consents, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Resource Consent matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Resource Consents** means the exercise of all responsibilities, duties and powers by the Resource Consents Department in relation to Part 6 of the Resource Management Act 1991 and other legislation
- **Resource Consents Department** means:
 - a) the Council department of that name, and comprising the Manager Resource Consents and all Resource Consents roles that report directly or indirectly to the Manager Resource Consents; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Resource Consents Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Resource Consents Department

Description of role	Level of Authority
General Manager Resource Consents	Tier 3
Manager National Resources and Specialist Input	Tier 4
Manager Special Projects, Practice and Resolutions	
Manager Central Resource Consenting	
Manager Western Resource Consenting	
Manager Northern Resource Consenting	
Manager Southern Resource Consenting	
Customer Service and Engagement Manager	
Manager Compliance	
Any other Council officer reporting directly to the General Manager Resource Consents	
Council officers reporting directly to Tier 4 Council officers in the Resource Consents Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Resource Consents Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Resource Consents Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Resource Consents Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Resource Consents Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Bylaws	
Power to appoint a person to be an authorised officer for a bylaw.	Tier 4
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Land Valuation Tribunal. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee	Tier 3
Power to instruct an external law firm to act on behalf of Council in respect of an eDealing, or non-eDealing transaction relating to the creation, discharge, surrender, variation, or replacement of instruments required under the Resource Management Act 1991 or under any resource consent, together with granting a consent under any such instrument required for the creation or registration of another instrument.	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction.	One Tier 5 and one Tier 6
Development Contributions	
Power to amend the amount of development contributions invoiced to resource or building consent holders following consultation with Manager Contributions Planning & Policy	Tier 4
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Regulatory	
Power to initiate oil spill prosecutions (other than under RMA)	Director Regulatory Services
Power to appoint independent Hearing Commissioners to a hearing	Principal Specialist Planners
Power to approve funding assistance for resource consents to “not for profit organisations”	Tier 4
Statutory functions, powers and duties	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Act 2002	
Power to make application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw: 162	Tier 4
Power to contract out administration of enforcement: 179	Tier 4
Local Government (Auckland Council) Act 2009	
Power to appoint persons to be enforcement officers under section 177 of the Local Government Act 2002 for the purposes of ensuring compliance by any person with any exercise of a power conferred on an Auckland water organisation by this Part: 71	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Resource Consents Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Signage Bylaw 2015	
Power to make a decision on applications for an exemption from any clause in the Signage Bylaw 2015	Team Leader
Power to approve the display of publicly visible signage on a roof of any building: (clause 7(1)(b)(i))	Team Leader
Power to approve the display of signage on street furniture, road, bridge, underpass, overpass, tree or other AT/AC infrastructure (clause 7(2))	Team Leader
Power to approve the display of publicly visible signage on, or in close proximity to, a scheduled historic heritage place (clause 7(3))	Team Leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to approve the display of portable signage for premises that do not have ground floor frontage and direct floor access to the road or public place (clause 14(4))	Team Leader
Power to approve the display of stencil signage or similar marking advertising services or products and impose conditions (clause 15(1)(b) and 15(2))	Team Leader
Power to approve the approval of multi-functional pole or light pole for attachment of a vertical banner (clause 18(4)(d))	Team Leader
Power to approve the display of signage in sports and active recreation zones (clause 22(4)(f))	Team Leader
Power to approve the display of signage in any public open space (clause 22(6)(b))	Team Leader
Auckland City Council Signs Bylaw 2007	
Power to erect or approve of signs that are exempt from the provisions of this bylaw: 27.1.1	Tier 6
Power to grant a dispensation for a sign that does not comply with any provision of this bylaw: 27.2.4.1	Tier 6
Power to decline or grant a dispensation subject to any conditions for a sign: 27.2.4.4	Tier 6
Franklin District Council Control of Signs Bylaw 2007	
Power to grant exemption from requirements of this bylaw: 5(1)	Tier 4
Power to grant dispensations from whole or part of bylaw, with any conditions considered appropriate: 18(3)	Tier 5
Manukau City Council General Administration Bylaw 2008	
Power to suspend or revoke a permit, licence, consent or approval: 2.6	Tier 3
Power to require information on applications for dispensation: 3.2	Tier 3
Power to require information on applications for objections: 4.2	Tier 3
Power to determine an offence against a bylaw: 5.1	Tier 3
Power to use section 357 of the Local Government Act 1974 and section 163 of the Local Government Act 2002 to remove works and recover costs: 6.2	Tier 3
Manukau City Council Temporary Signs Bylaw 2008	
Power to issue temporary signs permit: 3.1(b)	Tier 5
Power to specify the extent to which a permit may be granted, assessment criteria, and types of conditions: 3.3	Tier 5
North Shore City Council Control of Temporary Signs Bylaw	

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to review a decision to decline or revoke an application for a permit: 12.11.1	Tier 5
North Shore City Council Entertainment Complexes and Amusement Devices Bylaw	
Power to withhold granting an entertainment complex licence until off-street parking is provided or to grant a licence which is subject to conditions; Or decline an application for a licence: 15.2.2	Tier 4
Power to cancel or suspend an entertainment complex licence: 15.2.4	Tier 4
Duty to give notice in writing to the applicant that a hearing is to be held, if it is likely that the application for a new licence or extension of an existing licence may be refused, cancelled or suspended: 15.2.5	Tier 4
Power to grant a permit for a maximum of one year or decline an application for a permit: 15.3.2	Tier 4
Power to cancel a permit: 15.3.4	Tier 4
Rodney District Council Temporary Signs Bylaw	
Power to consult with Transit New Zealand and seek its comments on applications for any temporary sign visible from any state highway or motorway: 4.5	Tier 4
Power to apply to the District Court under Section 162 of the Local Government Act 2002 for an injunction restraining the person from committing a breach of this bylaw: 13.4	Tier 5

Auckland Council Delegations: City Parks Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

City Parks Services

General Delegation

The Chief Executive Officer delegates to all officers in the City Parks Services Department all of his responsibilities, duties and powers relating to City Parks Services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any City Parks Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **City Parks Services** means all those functions including those conducted on a commercial footing related to the maintenance of streetscapes and public spaces, the construction and maintenance of sports fields, and the maintenance of metropolitan parks including high profile parks and cemeteries and the operation of a nursery.
- **City Parks Services Department** means:
 - a) the Council department of that name, and comprising the Manager City Parks Services and all City Parks Services roles that report directly or indirectly to the Manager City Parks Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the City Parks Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in City Parks Services Department

Description of role	Level of Authority
General Manager City Parks Services	Tier 3
Business Unit Manager Parks	Tier 4
Business Unity Manager Streetscapes	
Manager Finance	
Strategic Business Development Manager	
Business Unit Manager Contract Services	
Transformation and Support Manager	
Any other Council officer reporting directly to the Manager City Parks Services	
Council officers reporting directly to Tier 4 Council officers in the City Parks Services Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the City Parks Services Department	Tier 6
Any Council officer with direct reports	People leader

Note: Although the Chief Operating Officer is not part of the City Parks Services Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of City Parks Services – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the City Parks Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the City Parks Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 4
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Power to negotiate and reach an agreement in principle with the relevant union (AWUNZ) in relation to the current CPS collective agreement, subject to agreement from the Executive Leadership Team.	Business Unit Manager Parks
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the City Parks Services Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Auckland Council Delegations: Operations Commercial and Finance Department

Adopted 9 September 2015

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*

Operations – Commercial and Finance Department

The Chief Executive Officer delegates to all officers in the Commercial and Finance Department all of his responsibilities, duties and powers relating to Commercial and Finance, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Operations Division Commercial and Finance matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Commercial and Finance matter** means all the functions related to the provision of quality commercial, financial and support services and advice. It includes the provision of information and services to enable key stakeholders to make timely decisions regarding financial/business planning, improvement programmes and the implications associated with these decisions, including any compliance requirements. In addition it covers the provision of divisional administration services.
- **Commercial and Finance Department** means:
 - a) the Council department of that name, and comprising the General Manager Operations Commercial and Finance and all Operations Commercial and Finance roles that report directly or indirectly to the General Manager Operations Commercial and Finance; or
 - b) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Operations Commercial and Finance Department as at 2 February 2015.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Operations Commercial and Finance Department

Description of role	Level of Authority
General Manager Operations Commercial and Finance	Tier 3
Business and Finance Manager(s)	Tier 4
Operations Division Planning and Performance Manager	
Operations Division Business Improvement Manager	
Operations Support Manager	
Any other Tier 4 Manager/officer in the Operations Commercial and Finance Department	
Council officers reporting directly to Tier 4 Council officers in the Operations Commercial and Finance Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Operations Commercial and Finance Department	Tier 6
Any Council officer with direct reports	People leader

Note: Although the Chief Operating Officer is not part of the Operations Commercial and Finance Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Operations Commercial and Finance – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Operations Commercial and Finance Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Operations Commercial and Finance Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Tier 3
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3 Insurance and Claims Manager
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3 Insurance and Claims Manager
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3 Insurance and Claims Manager
Power to decide whether to take any Tribunal actions.	Tier 3 Insurance and Claims Manager
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$150,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.* *For Tier 2 and Tier 3, the maximum amount has increased to match the maximum amount delegated to the Insurance and Claims Manager. These amounts will revert to normal levels (\$40,000 Tier 2 and \$25,000 Tier 3) at any time the Insurance and Claims Manager ceases to report to these positions.	Tier 2 Tier 3 Insurance and Claims Manager
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 4
Power to close a premises / facility in an emergency situation.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 4
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 4
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 4
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Operations Commercial and Finance department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3

Auckland Council Delegations: Community Facilities

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Community Facilities

General Delegation

The Chief Executive delegates to General Manager Community Facilities and all officers in the Community Facilities Department all of his responsibilities, duties and powers relating to Community Facilities, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive from referring any Community Facilities matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- Community Facilities means the services provided by the Community Facilities Department to build, renew and maintain community assets including buildings, furniture and fit-out, plant, structures, land, trees and vegetation including giving permissions for use of council facilities and park land.
- Community Facilities **Department** means:
 - a) the Council department of that name, and comprising the General Manager Community Facilities and all Community Facilities roles that report directly or indirectly to the General Manager Community Facilities; and
 - b) any department (whatever its name) that performs or exercises the same or a substantially similar role.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Community Facilities Department

Role	Level of Authority
General Manager Community Facilities	Tier 3
Head of Stakeholder & Land Advisory	Tier 4
Head of Operational Management & Maintenance	
Head of Project Delivery	
Head of Asset Management Intelligence Support	
Head of Contracts & Supplier Manager	
Head of Commercial Leasing & Business	
Head of Investigation and Design	
Head of Health & Safety, Quality Assurance & Environment	
Any other Council officer reporting directly to the General Manager Community Facilities	
Council officers reporting directly to Tier 4 Council officers in the Community Facilities Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Community Facilities Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Community Facilities Department	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Community Facilities Department: restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Community Facilities Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Director Customer and Community Services
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[Refer to <i>Financial delegations – Auckland Council</i> for the financial restrictions which apply to the exercise of all delegated powers]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction to be managed by Legal Services conditional on council authority confirmation.	Tier 4
Power, as Institutional Chargeholder to sign an Authority to Discharge letter or consent letter	Tier 4
Power to make decisions with regard to proceedings in the Tenancy Tribunal	Tier 4
Parks Management	
Power to grant a licence over a Council owned park or reserve for purposes of any station for the transmission, emission, or reception of any form of radio, electric, or electronic communication but only where the activity is provided for or contemplated in an approved management plan or the activity is an existing use and the effects of the use will be same or similar in character, intensity or scale.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to grant rights of way and other easements over parks conditional on it being contemplated in an approved management plan or where already existing and where the use will be the same or similar in character, intensity and scale.	Tier 4
Power to grant licences to temporarily occupy certain council owned parks.	Tier 6
Power to approve minor easements and rights of way over parks and reserves. (Minor to be defined as requests that don't require public notification under the relevant legislation, are unlikely to be of significant public interest and the impacts on the park and users are no more than minor and construction impacts are no longer than 6 months).	Tier 5
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems	Tier 3
Property	
Power to approve works on, over or under Council land, including leases where there is a commercial aspect	Tier 5
Power to act with full powers as the affected party in respect of all land and buildings owned, leased or managed by Council	Tier 5
Power to act with full powers as the affected party in respect of land and buildings which are not owned by the Council	Tier 3
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan	Tier 3
Power to give consent and make submissions or objections as adjoining landowner or potentially affected party in relation to property that Community Facilities Department is responsible for.	Tier 5
Power to sign certificates defining legal boundaries adjoining council land that is not park or reserve or legal road	Tier 4
Power to make building and resource consent applications	Tier 4
Power to close a premises / facility in an emergency situation	Tier 4
Power to sign applications, documents or instruments or certify any document or instrument in relation to any interest in land, on behalf of the Council	Tier 4
Power to approve amendments to or withdrawals or discharges of caveats, easement certificates, compensation certificates, and releases of bonds or encumbrances	Tier 4
Power as property owner, to approve or decline all periodic and fixed term residential tenancies	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power, as property owner to approve contributions to tenants for minor repairs and repainting	Tier 5
Power, as property owner to terminate tenancies for non-compliance with tenancy agreements	Tier 5
Power, as lessor or lessee, or licensor or licensee to terminate leases or licences within the terms of the contract	Tier 5
Power to set, review and reduce prices and rents in relation to existing Council leases	Tier 5
Power as lessor or lessee to sign agreements to lease for residential and commercial property	Tier 5
Power as property owner, lessor, assignor or licensor to approve the assignment and surrender of leases and licences	Tier 5
Power as lessee or licensee to approve the sublease, assignment and surrender of leases and licences	Tier 5
Power to approve variations to commercial, industrial and residential leases and licences	Tier 5
Power to approve a renewal of lease where there are no variations to the lease	Tier 5
Power to administer leases of council-owned swimming pools and community facilities. This includes the power to enforce the conditions in a lease, such as terminating the lease and approving rights of renewal where no rent review is involved	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Airport Authorities Act 1966	
Power to transfer any real or personal property to the airport company: s3A(6)	Tier 3
Auckland City Endowments and Reserves Act 1875	
Power to raise money by mortgage or debenture over certain endowment lands: s3(1)	Chief Executive Officer
Power to deal with certain endowment land and structures on the land: ss3(2), 3(3), 3(4), 4	Tier 3
Auckland Domain Act 1987	
All powers, duties and functions under the Auckland Domain Act 1987	Tier 4
Auckland Improvement Trust Act 1971	
Power to lease certain land: s4(6)	Tier 3
Power to lease, sell or exchange land to which this Act applies: s6(1)(b)	Tier 3
Power to grant lease over subsoil of all or part of Alten Road Reserve, and impose conditions, and to explore, investigate, and develop parts of the tunnel complex beneath Alten Road Reserve: ss5(1A) and (1B)	Tier 3
Power to impose further conditions, approve sublease, terminate or approve a surrender of lease: s4(6)	Tier 4
Power to fix reasonable or to reduce rent: ss4A(1)(c) and (d)	Tier 4
Power to apply income gained from leases, and income and interest gained through investments for certain purposes: s8	Tier 3
Power to grant consent to any person to use a reserve for purposes of accommodation or to remain on a reserve: s44(1) and (2)	Tier 4
Power to give or decline prior approval to erect shelters, huts, cabins, lodgings etc on any recreation or scenic reserve where such use is contemplated or provided for in an approved management plan for the reserve: s45	Tier 4
Power to approve minor easements and rights of ways over parks and reserves. (Minor to be defined as requests that don't require public notification under the relevant legislation which are unlikely to be of significant public interest)	Tier 5
Power to approve minor stormwater works over parks and reserves. (Minor to be defined as requests that don't require public notification under the relevant legislation which are unlikely to be of significant public interest)	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Electricity Act 1992	
Power to object to the requirements of the Secretary of the Ministry of Economic Development by lodging a written notice of objection with the Registrar of the District Court: s9	Tier 3
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66	Tier 4
Power to refuse request of employee for flexible working on certain grounds: s69AAF	Tier 4
Hauraki Gulf Marine Park Act 2000	
Power as constituent party to acquire, hold or dispose of property for the use of the Forum: s26(a)	Tier 3
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35	Tier 3
Power to require an employee to work on a public holiday: s47	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4)	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A	Tier 5
Impounding Act 1955	
Power to acquire land under the Public Works Act 1981 for the purpose of establishing a pound or a temporary pound: s7	Tier 3
Power, as occupier of land, to destroy wild stock unsold or not removed by purchaser: s40	Tier 4
Land Transfer Act 1952	
Power to bring alienated land under the Act: 20	Tier 3
Power to certify instruments: s164(2)	Tier 3
Power to certify electronic instruments and paper instruments of a class specified for the purpose by regulations made under this Act: s164B	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to bring an action against the Crown for recovery of damages for mistake or misfeasance of Registrar: s172	Tier 3
Power to request removal of easements and profits à prendre from LINZ register and removal of fencing covenants from title: ss70 and 71	Tier 4
Power to apply to Registrar to create one computer register for the whole of the land, or several computer registers, each comprising portion of the land: s86(1)	Tier 4
Power, on the subdivision of any land, to make application to the Registrar to have the access strip brought under the provisions of this Act: s89A	Tier 4
Power, as registered proprietor to consent to an application under 89A in writing duly attested by a witness: s89B	Tier 4
Power as controlling authority to lodge a caveat against bringing land under the Act: s89C	Tier 4
Power to request transfers of any land or estate or interest in land or the creation or surrender of any easement or profit à prendre by transfer instrument: s90	Tier 4
Power to request creation and surrender of easements by easement instrument: s90A	Tier 4
Power, as registered proprietor or grantee to consent to the creation or surrender of easements, or to execute an easement variation instrument: ss90B and 90C	Tier 4
Power to execute Deeds inter partes creating and noting land covenants: s90F	Tier 4
Power to execute mortgage instruments or encumbrance instruments conditional on delegate having the financial authority: s101	Tier 4
Power to execute variation of mortgage terms instruments: s102	Tier 4
Power to execute variation of priority of mortgages instrument: s103	Tier 4
Power to consent as sub mortgagee to the variation of the terms of a mortgage: s114(b)	Tier 4
Power to execute a lease instrument or lease variation instrument: ss115(3)(a) and 116(6)	Tier 4
Power, as mortgagee or lessee, to request the Registrar to bring down a mortgage when a renewed or substituted lease is registered: s117	Tier 4
Power to execute a covenant for right of purchase: s118	Tier 4
Power, as lessee on acquisition of the fee simple estate, to request the Registrar to bring down registered encumbrances affecting the lease against the fee simple: s118A	Tier 4
Power to give consent as mortgagee for lease of mortgaged or encumbered land to be binding upon the mortgagee: s119	Tier 4
Power to execute a lease surrender instrument: s120(3)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to execute and submit for registration a caveat against bringing land under Act or against dealings with land under Act: ss136 and 137	Tier 4
Power to make application to High Court for removal of caveat: s143	Tier 4
Power to apply for caveat against dealings to lapse: s145A	Tier 4
Power to execute and submit withdrawal of caveat: s147	Tier 4
Power as caveator to consent to electronic registration: s147A	Tier 4
Duty to surrender instruments affecting title to the Registrar: s189	Tier 4
Power to refer the matter, by notice in writing, to the Registrar for reconsideration of his decision: s216	Tier 4
Local Government Act 2002	
Power to acquire any land that may be necessary or convenient for the purposes of, or in connection with, any public work: s189	Tier 3
Local Government (Auckland Transitional Provisions) Act 2010	
Power to register title to land with the Registrar General of Land: s85	Tier 3
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Community Facilities department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993	Tier 3
Property Law Act 2007	
Power to execute a deed: s9	Tier 4
Power to sign dispositions of interests in land and other property: s25	Tier 3
Power to execute contracts of guarantee: s27	Tier 3
Power to assign things in action: s50	Tier 3
Power to apply to a court for relief for wrongly placed structure: s322	Tier 3
Power to apply to a court for an order under section 328(1) granting reasonable access to any landlocked land: s327	Tier 3
Power to apply to a court for order of removal or trimming of trees or removal or alteration of structures: s334	Tier 3
Power as vendor to cancel an agreement after certain conditions have been complied with: s28	Tier 4
Power to re-enter land peaceably: s28(4)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power as purchaser to apply for relief against cancellation: s33	Tier 4
Power as purchaser to apply for order requiring refund of deposit: s37	Tier 4
Power and duty as vendor before the time of settlement to do all acts necessary to cause the register to cease to be limited as to title: s41(2)(a)	Tier 4
Power as vendor to bid at auction sales of property other than goods conditional on delegate's limit of financial authority: s42	Tier 4
Power to make a short-term lease: s208	Tier 4
Power to terminate lease: ss210 and 236	Tier 4
Power to recover damages from lessor: s228	Tier 4
Power to exercise rights arising from covenants: s234	Tier 4
Power, as lessor to cancel lease for breach of covenants, including to pay rent: ss245 and 246	Tier 4
Power as lessee to terminate lease if unable to use premises: Schedule 3, Part 1, cl 10	Tier 4
Power as lessor to inspect premises: Schedule 3, Part 1, cl 11	Tier 4
Public Works Act 1981	
Power to sign notices under this Act: s4(6)(b)(ii)	Tier 3
Power to enter into an agreement to purchase land for any public work for which the local authority is responsible: s17(1)	Tier 3
Power to apply to the Maori Land Court for an order under the provisions of Part 9 of the Maori Affairs Amendment Act 1974: ss17(4), 18(5)	Tier 3
Duty to serve notice of desire to acquire land and to invite owner of land to sell: s18(1)	Tier 3
Power to proceed to take land for public work: s18(2)	Tier 3
Power to withdraw notice under section 18(1) of this Act: ss18(3) and 18(4)	Tier 3
Power to proceed to take land under certain circumstances: s18(7)	Tier 3
Power to purchase or improve land for granting as compensation: s21	Tier 3
Power to give notice of intention to take land to owner, conditional on the notice being signed by Chief Executive: s23(1)(c)	Tier 3
Power to represent the local authority at an Environment Court hearing into an objection: s24(6)	Tier 3
Power to agree to an Environment Court judge conducting an inquiry alone: s25	Tier 3
Power to submit a request to the Governor-General to take land for a local public work, such request to be signed by the Chief Executive: s26	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to acquire or take and hold the land acquired for a public work subject to any particular estate, interest, easement, profit à prendre, covenant, or encumbrance, and to acquire or to take and hold any such estate or interest separately: s28	Tier 3
Power to acquire or take any land vested in any local authority or any land vested in trustees for any local or general public purpose: s29(b)	Tier 3
Power to acquire surface, subsoil, or air space separately, including subsoil that has not already been acquired, if required at a later date: s31	Tier 3
Power to subdivide, develop, provide access to, set apart, or dispose of any severed land taken under this section: s34(3)	Tier 3
Power to dispose or not dispose of surplus land to the former owner or the successor of that person, or the owner of adjacent land where applicable, when the land has been declared surplus by the council: ss40(1), (2) and (4)	Tier 3
Power to apply to the Maori Land Court for disposal of former Maori land when no longer required: s41(e)	Tier 3
Power of disposal of land not required for public work when section 40 of this Act does not apply: s42	Tier 3
Power to sell land on deferred payments: s43	Tier 3
Power to deal with land held for public work in strata: s49	Tier 3
Power to transfer existing public works to Crown or a local authority for other public works: s50	Tier 3
Power to request that land held for one public work be set apart for another public work by notice in the Gazette: s52(4)	Tier 3
Power to assess compensation for injurious affection where no land taken: s63	Tier 3
Power to assess compensation for land for which no general demand exists: s65	Tier 3
Power to offer compensation for estate or interest in land taken: s70(1)	Tier 3
Power to decline an application from an owner or occupier to do something on land under section 71(5) of this Act: s71(7)	Tier 3
Power to consent as notifying authority to registration of a dealing: ss73(4) and 74(4)	Tier 3
Power to pay compensation to tenants of residential and business premises: s75	Tier 3
Power to refund expenses where acquisition of land abandoned: s76	Tier 3
Power to take proceedings to determine compensation if person entitled fails to make claim: s79	Tier 3
Power to apply to District Court for an order requiring Public Trust to represent infants, absentee owners, etc: s81	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power, as claimant or respondent to file claims in District Court requiring claim to be heard by Tribunal: s84	Tier 3
Power to pay compensation to Public Trust when title doubtful: s96	Tier 3
Power to pay the mortgagor the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the mortgagee: s99	Tier 3
Power to pay the owner of land the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the holder of any rent charge: s100(3)	Tier 3
Power to grant easements in lieu of compensation: s103	Tier 3
Power to grant land as compensation where equivalent land not readily available: s105	Tier 3
Power to enter into an agreement with a person entitled to land under section 105 or 106 for the repayment of any money agreed to be due by way of equality of exchange: s107(1)	Tier 3
Power to apply to the Land Valuation Tribunal to fix the value of land that is subject to exchange: s107(2)	Tier 3
Power to sign notice of any charge under subsection 4 and any certificate releasing any such charge: s107(6)	Tier 3
Power to grant lease or licence as compensation to lessee or licensee of land taken: s107A	Tier 3
Power to authorise any person to enter and re-enter onto private land for the purpose of survey, and to give reasonable notice to the owner of land: ss110(1) and 110(2)	Tier 4
Power to authorise any person to enter land for other survey and investigation purposes and to give 10 days notice to owner of entry to land: ss111(1) and 111(2)	Tier 4
Power to give written consent for land to be declared road: s114	Tier 3
Power to sign certificate of consent or notice of discharge of certificate of consent: s115(9)	Tier 3
Power to enter into and carry out agreements to combine with Government in any undertaking of both national and local importance.	Chief Executive Officer
Power to recover costs in respect of some work under this section: s234(3)	Tier 3
Power to take proceedings for the recovery of damages in respect of removal of or damage to a public work: s238	Tier 3
Power to recover land and damages from persons holding illegal possession: s240	Tier 3
Power to enter or to authorise a council officer to enter land for the purposes of section 27(2) of this Act (including taking or removing any natural material for public work): s27	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to grant lease, tenancy, or licence to occupy of land held for public work: s45	Tier 4
Power to grant easement over land held for public work: s48	Tier 4
Power to consent to registration of dealing while a charge under section 107(4) is registered against land: s107(5)	Tier 4
Power to require the removal of trees and hedges that interfere with roads or public works, and to sign and serve notice of requirement: ss133 and 134	Tier 4
Power to enter onto land to do emergency work on trees, etc to recover costs and expenses of carrying out work: s135	Tier 4
Power to apply-land held for any public work to any authorised secondary use or to grant licences, permits, and privileges in respect of any authorised secondary use of the land: s191	Tier 4
Duty to provide notice in writing before entry onto private land: s233	Tier 4
Powers of emergency entry on land to prevent interference or damage to any public work and duty: s234	Tier 4
Power to consent in writing to excavations near public works: s237	Tier 4
Power to remove and dispose of abandoned property from public works land, and to give notice of intention to sell or destroy abandoned property: s239	Tier 4
Power to give notice of decision on public sales of land under section 42 of this Act: s42(2)	Tier 5
Responsibility to consult with District Land Registrar as to practicability to amalgamate land: s107(9C)	Tier 5
Reserves Act 1977	
Ministerial powers, functions and duties under the Reserves Act 1977 as set out in the Minister's "Instrument of Delegation for Territorial Authorities" dated 12 June 2013 (attached as document number 33 of the Delegations Register).	Tier 3
Power to revoke, issue or amend a <i>Gazette</i> notice issued by the council: s6(3)	Tier 3
Power to <i>Gazette</i> resolution to declare vested land to be a reserve: s14(4)	Tier 3
Power to <i>Gazette</i> resolution to declare vested land to be a reserve: 14(4)	Tier 3
Power to do all things necessary to effect any exchange of reserves for other land: 15(3).	Tier 3
Power to control and manage any land that is not a reserve: s38	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to grant rights of way and other easements over reserves where contemplated in an approved management plan or where already existing and the use will be the same or similar in character, intensity and scale: s48(1)	Tier 3
Power to purchase land on deferred payments: s64	Tier 3
Power to grant or decline the right to take exotic flora and exotic fauna not protected under the Wildlife Act 1953, or rock mineral or soil from a reserve for scientific or educational purposes: s49	Tier 6
Power to grant leases or licences of historic reserves, and to give notice, but only where the activity is provided for or contemplated in an approved management plan for the reserve or activity and the effects of the use will be the same or similar: s58A(1) and (2)	Tier 4
Power to grant licences to temporarily occupy certain reserves, conditional on the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale: s74	Tier 4
Power to enter covenant to provide for the management of any private land or any Crown land so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value: s77	Tier 4
Power to authorise certain activities on a reserve, which would otherwise be unlawful under the Reserves Act 1977: s94	Tier 4
Power to:	
(a) grant requests for new licences and variations to existing licences on regional parks, that do not trigger public notification under the Reserves Act 1977 or Regional Parks Management Plan and;	Tier 4
(b) approve public notification of requests for new licences and or variations to existing licences on regional parks	
Rodney County Council (Gulf Harbour) Vesting and Empowering Act 1977	
Power to license or permit any part of the land vested in the Council under this Act (including any part of the foreshore or of the bed of the sea) or any building or structure, to be used or occupied for boat harbour purposes for such period and upon such terms and conditions as the Council may think fit: s9.	Tier 3
Power to lease the whole or any part or parts of such reclaimed land to any person or persons for boat harbour purposes for any term with such right or rights of renewal and on such terms and conditions as the Council may think fit: s10(a)	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to accept a surrender of any such lease, whether as to the whole or to any part of the land, and power to grant to the lessee, or any person or persons with the consent of the lessee, a new lease or new leases of the whole or any part or parts of the land comprised in the surrendered lease for the remainder or any part of the remainder of the term of the surrendered lease, on such terms and conditions as may be determined by the Council: s10(b)	Tier 3
Soil Conservation and Rivers Control Act 1941	
Power to register the land improvement agreement, or a variation or substitution to that agreement, against the title of that owner or occupier to the whole or any part of the land to which the agreement relates: ss30A(3); 30A(4)	Tier 3
Power to, on the expiration or termination, either in whole or in part, of a registered land improvement agreement, sign a certificate to that effect and deposit it with the Registrar: s30A(5)	Tier 3
Power to on payment of a fee of deposit with the Registrar a certificate specifying the amount payable and unpaid under the agreement in respect of the default by any owner or occupier of the land and the registered estate or interest of that owner or occupier in any land against the title to which the agreement is registered: s30A(10)	Tier 3
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property S2	Tier 4
Power to warn a trespasser to leave the property: s3	Tier 4
Power to either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the property: s4(1)	Tier 4
Power to, where there is reasonable cause to suspect that any person is likely to trespass on the property, warn that person to stay off the property and to require that a person give name and other particulars: ss4(2) and 9(1)	Tier 4
Trustee Act 1956	
All powers, duties and functions in the Trustee Act except those listed below	Chief Executive Officer
Power as trustee to sell; dispose of; postpone the sale, calling in, and conversion of; let or sublet; lease or sublease; reduce rent or modify terms of; any property vested in him/her: s14(1)	Tier 3
Power as trustee to purchase land in New Zealand: s14(2)	Tier 3
Power as trustee to erect a dwelling house on land that is subject to the same trusts: s14(2A)	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power as trustee to acquire or occupy; or enter into any lease, licence, agreement or other arrangement to occupy, any flat or apartment: s14(2B)	Tier 3
Power as trustee to accept or concur or join with any other person in accepting a lease or sublease of any property: s14(3)	Tier 3
Power as trustee to grant to a lessee or sub lessee a right of renewal, or optional or compulsory purchasing clause, or right to compensate for improvements: s14(5)	Tier 3
Power as trustee to subdivide land: s15(1)(c)	Tier 3
Power as trustee to grant easements and profits a prendre and enter into party wall agreements: s15(1)(e)	Tier 3
Power as trustee for sale to sell any property vested in the trustee: s16	Tier 3
Power as trustee to rescind or cancel or modify or vary any contract or agreement for the sale and purchase of any land: s14(4)	Tier 4
Power as trustee to expend money for the repair, maintenance, upkeep, renovation, improvement, or development of the property: ss15(1)(a) and 15(1)(b)	Tier 4
Power as trustee to contribute money towards the construction and maintenance of works likely to be beneficial to the property: s15(1)(d)	Tier 4
Power as trustee to pay rates, taxes, assessments, insurance premiums and other outgoings in respect of the property: s15(1)(f)	Tier 4
Unit Titles Act 2010	
All powers, functions and responsibilities to act as proprietor	Tier 3

Auckland Council Delegations: Housing Project Office

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Housing Accords and Special Housing Areas Act (2013)*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002*
- *Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Housing Project Office

General Delegation

The Chief Executive delegates to all officers in the Housing Project Office all of his responsibilities, duties and powers relating to the Housing Project Office, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991, Local Government (Rating) Act 2002 and Housing Accords and Special Housing Areas Act (2013)*.

This delegation does not preclude the Chief Executive from referring any Housing Project Office matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Housing Policy** means the exercise of all responsibilities, duties and powers by the Housing Project Office in relation to Part 6 of the Resource Management Act 1991, Housing Accord and Special Housing Areas Act (2013) and other relevant legislation. It also includes leading and implementing the Housing Policy, Forward Land and Infrastructure Programme, Special Housing Areas Identification, Housing Action Plan, Master Planning and Consenting.
- **Housing Project Office** means:
 - a) the Council department of that name, and comprising the Project Director Housing, Manager Growth and Infrastructure, Manager SHA Master Planning and Manager SHA Consenting and all Housing Project Office roles that report directly or indirectly to the positions above; or
 - b) any department (whatever its name) that, after 26 September 2013, performs or exercises the same or a substantially similar role as the Housing Project Office as at 26 September 2013.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the Housing Project Office

Description of role	Level of Authority
Project Director Housing	Tier 3
Manager SHA Master Planning	Tier 4
Manager SHA Consenting	
Manager Growth and Infrastructure	
Manager Business Development – Housing	
Manager Affordable Housing	
Any other Council officer reporting directly to the Project Director Housing	
Council officers reporting directly to Tier 4 Council officers in the Housing Project Office	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Housing Project Office	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Housing Project Office	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Housing Project Office: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Housing Project Office having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 5
Enforcement Officers	
Power to appoint council officers to act as enforcement officers under any relevant legislation and to issue appropriate warrants in accordance with that legislation.	Director Regulatory Services
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Land Valuation Tribunal. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to instruct an external law firm to act on behalf of Council in respect of an eDealing, or non-eDealing transaction relating to the creation, discharge, surrender, variation, or replacement of instruments required under the Resource Management Act 1991, Housing Accords and Special Housing Areas Act 2003 or under any resource consent, together with granting a consent under any such instrument required for the creation or registration of another instrument.	Tier 5
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction.	One Tier 5 and one Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to amend the amount of development contributions invoiced to resource or building consent or qualifying development holders following consultation with Manager Contributions Planning & Policy.	Tier 4
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Regulatory	
Power to initiate oil spill prosecutions (other than under RMA).	Director Regulatory Services
Power to approve funding assistance for resource consents to “not for profit organisations”.	Tier 4
Statutory functions, powers and duties	
Minimum level of authority required	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: s69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Housing Accords and Special Housing Areas Act 2013	
All functions powers and duties to administer the provisions of the HASHA legislation.	Tier 3
Power to assess and approve Qualifying Developments in accordance with the HASHA legislation.	Tier 5
Local Government Act 2002	
Power to contract out administration of enforcement: s179	Tier 4
Local Government (Auckland Council) Act 2009	
Power to appoint persons to be enforcement officers under section 177 of the Local Government Act 2002 for the purposes of ensuring compliance by any person with any exercise of a power conferred on an Auckland water organisation by this Part: s71	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Resource Consents Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Auckland City Council Signs Bylaw 2007	
Power to erect or approve of signs that are exempt from the provisions of this bylaw: s27.1.1	Tier 6
Power to grant a dispensation for a sign that does not comply with any provision of this bylaw: s27.2.4.1	Tier 6
Power to decline or grant a dispensation subject to any conditions for a sign: s27.2.4.4	Tier 6

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Franklin District Council Control of Signs Bylaw 2007	
Power to grant exemption from requirements of this bylaw: s5(1)	Tier 4
Power to grant dispensations from whole or part of bylaw, with any conditions considered appropriate: 18(3)	Tier 5
Manukau City Council General Administration Bylaw 2008	
Power to suspend or revoke a permit, licence, consent or approval: s2.6	Tier 3
Power to require information on applications for dispensation: s3.2	Tier 3
Power to require information on applications for objections: s4.2	Tier 3
Power to determine an offence against a bylaw: s5.1	Tier 3
Power to use section 357 of the Local Government Act 1974 and section 163 of the Local Government Act 2002 to remove works and recover costs: s6.2	Tier 3
Manukau City Council Temporary Signs Bylaw 2008	
Power to issue temporary signs permit: s3.1(b)	Tier 5
Power to specify the extent to which a permit may be granted, assessment criteria, and types of conditions: s3.3	Tier 5
North Shore City Council Control of Temporary Signs Bylaw	
Power to review a decision to decline or revoke an application for a permit: s12.11.1	Tier 5
North Shore City Council Entertainment Complexes and Amusement Devices Bylaw	
Power to withhold granting an entertainment complex licence until off-street parking is provided or to grant a licence which is subject to conditions; Or decline an application for a licence: s15.2.2	Tier 4
Power to cancel or suspend an entertainment complex licence: s15.2.4	Tier 4
Duty to give notice in writing to the applicant that a hearing is to be held, if it is likely that the application for a new licence or extension of an existing licence may be refused, cancelled or suspended: s15.2.5	Tier 4
Power to grant a permit for a maximum of one year or decline an application for a permit: s15.3.2	Tier 4
Power to cancel a permit: s15.3.4	Tier 4
Rodney District Council Temporary Signs Bylaw	
Power to consult with Transit New Zealand and seek its comments on applications for any temporary sign visible from any state highway or motorway: s4.5	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to apply to the District Court under Section 162 of the Local Government Act 2002 for an injunction restraining the person from committing a breach of this bylaw: s13.4	Tier 5

Auckland Council Delegations: Strategy

Adopted 9 September 2015

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Strategy

General Delegation

The Chief Executive delegates to all officers in the Strategy Division all of his responsibilities, duties and powers relating to Strategy, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Strategy matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Strategy** means all functions of the departments of the Council that form the Strategy Division, i.e. Commercial Services, Plans and Places, Auckland Plan Strategy and Research, Auckland Design Office, Community and Social Policy, Chief Economist Office and any other department under the Strategy Division structure.
- **Strategy Division** means:
 - a) the Council division of that name, and comprising the Chief of Strategy and all Strategy roles that report directly or indirectly to the Chief of Strategy; or
 - b) any division (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Strategy Division as at 2 February 2015.
- **Commercial Services** means all the functions related to the provision of quality commercial, financial and support services and advice. It includes the provision of information and services to enable key stakeholders to make timely decisions regarding financial/business planning, improvement programmes and the implications associated with these decisions, including any compliance requirements. In addition it covers the provision of divisional administration services.
- **Commercial Services Department** means:
 - a) the Council department of that name, and comprising the General Manager Commercial Services and all Commercial Services roles that report directly or indirectly to the General Manager Commercial Services; or
 - b) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Commercial Services Department as at 2 February 2015.

- **Plans and Places** means the functions of the department of the Council with responsibility for assisting the Council in fulfilling its obligations and exercising its authority under –
 - Part 4 of the Resource Management Act 1991 (Functions, powers and duties of central and local government), in particular, the development, delivery and maintenance of an integrated unitary plan for Auckland and
 - Part 3 of the Reserves Act 1977 (Classification and Management of Reserves).
- **Plans and Places Department** means:
 - a) the Council department of that name, and comprising the General Manager Plans and Places and all Plans and Places roles that report directly or indirectly to the General Manager Plans and Places; or
 - b) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Plans and Places Department as at 2 February 2015.
- **Auckland Plan Strategy and Research (APSR)** means the functions of the APSR Department in guiding the framework to set strategy for Auckland. This includes the development of the organisation's strategy and planning framework. The department also leads the development and review of strategies, such as the Auckland Plan, Infrastructure Strategy, Long Term Plan, Transport Strategy and Community and Cultural strategies. Further, the APSR Department implements Council's research strategy, maintains Council's evidence base and evaluates Council's strategies and policies.
- **Auckland Plan Strategy and Research Department** means:
 - c) the Council department of that name, and comprising the General Manager Auckland Plan Strategy and Research and all Auckland Plan Strategy and Research roles that report directly or indirectly to the General Manager Auckland Plan Strategy and Research; or
 - d) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Auckland Plan Strategy and Research Department as at 2 February 2015.
- **Auckland Design Office (ADO)** means the functions of the ADO Department in guiding the framework to set design strategy for Auckland. This includes the development of the organisation's urban design framework. The department also leads the development and review of guidelines, such as the Auckland Design Manual.
- **Auckland Design Office** means:
 - e) the Council department of that name, and comprising the General Manager Auckland Design Office and all Auckland Design Office roles that report directly or indirectly to the General Manager Auckland Design Office; or
 - f) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Auckland Design Office as at 2 February 2015.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

- **Community and Social Policy (CSP)** means the functions of the CSP Department in guiding the framework to set strategy for Auckland. This includes the development of the organisation's community and social policy framework. The CSP department also leads the development and review of bylaws, development of community, parks and recreation policy and social policy.
- **Community and Social Policy Department** means:
 - g) the Council department of that name, and comprising the General Manager Community and Social Policy and all Community and Social Policy roles that report directly or indirectly to the General Manager Community and Social Policy; or
 - h) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Community and Social Policy Department as at 2 February 2015.
- **Chief Economist Office** means the functions of the Chief Economist Office providing economic advice and leadership for senior managers and elected representatives on the economics of key projects and strategic directions as specified in the Economic Development Strategy and Auckland Plan.
- **Chief Economist Office** means:
 - i) the Council department of that name, and comprising the Chief Economist and all Chief Economist Office roles that report directly or indirectly to the Chief Economist; or
 - j) any department (whatever its name) that, after 2 February 2015, performs or exercises the same or a substantially similar role as the Chief Economist as at 2 February 2015.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Strategy Division

Description of role	Level of Authority
Chief of Strategy	Tier 2
General Manager Commercial Services	Tier 3
General Manager Plans and Places	
General Manager Auckland Plan Strategy and Research	
General Manager Auckland Design Office	
General Manager Community and Social Policy	
Chief Economist	
Any other Tier 3 Manager/officer in the Strategy Division	
Council officers reporting directly to Tier 3 Council officers in the Strategy Division	Tier 4
Council officers reporting directly to Tier 4 Council officers in the Strategy Division	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Strategy Division	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Strategy Division	Tier 7
Any Council officer with direct reports	People leader

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Strategy Division: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Strategy Division having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Tier 3
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$150,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.* *For Tier 2 and Tier 3, the maximum amount has increased to match the maximum amount delegated to the Insurance and Claims Manager. These amounts will revert to normal levels (\$40,000 Tier 2 and \$25,000 Tier 3) at any time the Insurance and Claims Manager ceases to report to these positions.	Tier 2 Tier 3 Insurance and Claims Manager
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 4
Power to close a premises / facility in an emergency situation.	Tier 4
Statutory functions, powers and duties	
Minimum level of authority required	
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 4
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 4
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 4
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Strategy Division).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Marine and Coastal Area (Takutai Moana) Act 2011	
All functions, powers and duties under this Act	Plans & Places - Tier 4
Waitakere Ranges Heritage Area Act 2008	
Power to provide Minister with information required in order to extend the heritage area: s6	Plans & Places - Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Duty to give effect to the purposes of this Act when preparing or reviewing a regional policy statement or regional plan that affects the heritage area: s10	Plans & Places - Tier 3
Duty to give effect to the purposes of this Act when preparing or reviewing a district plan that affects the heritage area: s11	Plans & Places - Tier 3
Power to reject a request for plan changes, in whole or in part if it is inconsistent with the purposes of this Act: s12	Plans & Places - Tier 3
Wildlife Act 1953	
Duty to prepare and submit plans for destruction of Injurious birds for approval to the Director-General of Conservation: s47	Plans & Places - Tier 3
Duty to appoint a delegate to attend a conference called by the Governor General on the destruction of Injurious birds: s49	Plans & Places - Tier 3

Auckland Council Delegations: Finance

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols)*

Finance

General Delegation

The Chief Executive Officer delegates to all officers in the Finance Department all of his responsibilities, duties and powers relating to Finance, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Finance matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Finance matter** means all the functions related to providing quality financial advice and ensuring decision-making processes are available to support key stakeholders, and a robust financial planning and analysis culture. It includes advising on the importance of budgetary planning and financial implications of business decisions and overseeing procurement strategies and decision-making.
- **Finance Department** means:
 - a) the Council department of that name, and comprising the Manager Finance and all Finance roles that report directly or indirectly to the Manager Finance; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Finance Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Finance Department

Description of role	Level of Authority
General Manager Finance	Tier 3
Group Financial Controller	Tier 4
Commercial Manager	
Manager Corporate Performance and Reporting	
Manager Financial Advisory Services – Local Board	
Manager Projects and Innovation	
Implementation Manager – Team Planning	
Any other Council officer reporting directly to the General Manager Finance	
Council officers reporting directly to Tier 4 Council officers in the Finance Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Finance Department	Tier 6
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the Finance Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Finance – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Finance Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Finance Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3 Insurance and Claims Manager
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3 Insurance and Claims Manager
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3 Insurance and Claims Manager
Power to decide whether to take any Tribunal actions.	Tier 3 Insurance and Claims Manager
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$150,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Insurance and Claims Manager
Power to make ex gratia payments of up to \$150,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.* *For Tier 2 and Tier 3, the maximum amount has increased to match the maximum amount delegated to the Insurance and Claims Manager. These amounts will revert to normal levels (\$40,000 Tier 2 and \$25,000 Tier 3) at any time the Insurance and Claims Manager ceases to report to these positions.	Tier 2 Tier 3 Insurance and Claims Manager
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Environment Court or Land Valuation Tribunal. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Financial Controller
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Chief Finance Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Chief Finance Officer
Statutory functions, powers and duties	Minimum level of authority required
Auckland Airport Act 1987	
Duty as the Regional Authority to pay interest to the Crown and the constituent authorities where the payment or transfer has not been made: s10(6)	Tier 3
Duty as the constituent authority to indemnify Auckland Regional Authority: s11	Tier 3
Auckland Regional Amenities Funding Act 2008	
Power to represent the Auckland Council for the purpose of conferring over draft funding plan: s26(1)	Tier 3
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 3
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 3
Goods and Services Tax Act 1985	
Duty to sign any return required to be furnished under Part 3 of this Act.	Taxation Team Leader
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Land Transfer Act 1952	
Power to bring an action against the Crown for recovery of damages for mistake or misfeasance of Registrar: s172	Tier 3
Power to execute mortgage instruments or encumbrance instruments conditional on delegate having the financial authority: s101	Tier 4
Power to execute variation of mortgage terms instruments: s102	Tier 4
Power to execute variation of priority of mortgages instrument: s103	Tier 4
Power to consent as sub mortgagee to the variation of the terms of a mortgage: s114(b)	Tier 4
Power, as mortgagee or lessee, to request the Registrar to bring down a mortgage when a renewed or substituted lease is registered: s117	Tier 4
Power to execute a covenant for right of purchase: s118	Tier 4
Power, as lessee on acquisition of the fee simple estate, to request the Registrar to bring down registered encumbrances affecting the lease against the fee simple: s118A	Tier 4
Power to give consent as mortgagee for lease of mortgaged or encumbered land to be binding upon the mortgagee: s119	Tier 4
Local Government Act 2002	
Duty to establish and maintain a register of charges in relation to the local authority's assets: 116	Team Leader Financial Policy
Power to recover against a person wilfully or negligently damaging property: s175	Tier 3
Power apply to the Minister to use money collected and held under Local Government Act 1974 or Resource Management Act 1991: 207	Team Leader Contributions
Duty to provide for costs incurred by the representative of advertising that promotes or opposes the reorganisation scheme: Schedule 3 clause 56	Tier 3
Power to transfer liabilities in relation to an undertaking to a council-controlled organisation: Schedule 9 clause 4.	Tier 3
Power to allow a development contribution objection to be served on the council after the 15 working day period: Schedule 13A, part 1, clause 1(4)	Financial Policy Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Finance department).	Tier 3
National Provident Fund Restructuring Act 1990	
Duty as corporate contributor to provide information to the Board when required: s40A	Tier 3
Power to appoint the Board as Sinking Fund Commissioner or Depreciation Fund Commissioner: s83	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to execute contracts of guarantee: s27	Tier 3
Power as purchaser to apply for relief against cancellation conditional on the delegate's limit of financial authority: s33	Tier 3
Power to assign things in action: s50.	Tier 3
Power as new owner or occupier to recover cost of work from person on whom notice was served under s308 of this Act: s312(2)	Tier 3
Public Audit Act 1980	
Duty to ensure that the Auditor-General has access at all times to the documents of the entity relating to the performance and exercise of the Auditor-General's functions, duties and powers: 24.	Financial Controller
Duty to provide the Auditor-General with any document in the council's care or control and with information or an explanation about any information: 25	Financial Controller
Duty to pay any fees to the Auditor-General or to the appointed auditor on the completion of the whole or any part of the audit when requested to do so in writing: 42(4)	Financial Controller
Public Works Act 1981	
Power to assess compensation for injurious affection where no land taken: s63	Tier 3
Power to assess compensation for land for which no general demand exists: s 65	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to consent as notifying authority to registration of a dealing: s 73(4)	Tier 3
Power to consent as notifying authority to registration of a dealing: s 74(4)	Tier 3
Tax Administration Act 1994	
Duty to pay tax on time: 15B	Taxation Team Leader
Duty to provide the Commissioner with all reasonable facilities and assistance: 16(2)(a)	Taxation Team Leader
Duty to furnish the Commissioner with information on request: 17	Taxation Team Leader
Duty to keep returns where information transmitted electronically: 23	Taxation Team Leader
Power to make decisions regarding tax codes: 24G	Taxation Team Leader
Power to make a tax return on behalf of council: 33	Taxation Team Leader
Duty to provide quarterly Fringe Benefit Returns and provide information: 46B and E	Taxation Team Leader
Duty as trustee, to make a return of all income derived by the trustee of the trust: 59	Taxation Team Leader
Duty to disclose interest in foreign company or foreign investment fund: 61	Taxation Team Leader
Duty to make a return as to debentures and interest on debentures: 62	Taxation Team Leader
Power to make any other tax return on behalf of the Council: 79 and 80	Taxation Team Leader
Duty to make taxpayer assessment of income tax: 92	Taxation Team Leader
Duty to make taxpayer assessment of GST: 92B	Taxation Team Leader
Liability to pay interest on unpaid tax: 120D	Taxation Team Leader
Power, on behalf of the Council, to object to an income tax assessment 126	Financial Controller
Power, on behalf of the Council as trustee, to object to an income tax assessment: 126	Financial Controller
Power, as objector, by notice to the Commissioner, to require the Commissioner to state a case for the opinion of the High Court: 136	Financial Controller
Power, as objector, by notice to the Commissioner, to require the objection be referred to the Taxation review Authority: 138	Financial Controller
Trustee Act 1956	
All powers, duties and functions	Tier 2

Auckland Council Delegations: Accounting Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Accounting Services

General Delegation

The Chief Executive delegates to all officers in the Accounting Services Department all of his responsibilities, duties and powers relating to Accounting Services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Local Government (Rating) Act 2002 prevents the Chief Executive from sub-delegating powers etc under that Act. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Accounting Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Accounting Services** means the functions of the Accounting Services department to create and maintain an efficient transaction management centre (including rates, accounts payable, debt management and collection) for Auckland Council, Local Boards and CCOs (excluding Transport and Watercare) in order to ensure the most effective functionality of the financial systems used in the Finance division.
- **Accounting Services Department** means:
 - a) the Council department of that name, and comprising the Manager Accounting Services and all Accounting Services roles that report directly or indirectly to the Manager Accounting Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Accounting Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Accounting Services Department

Description of role	Level of Authority
Manager Accounting Services	Tier 3
Manager Requisition to Pay	Tier 4
Manager Billing and Credit Management	
Financial Systems and Processes Manager	
Manager Rates and Valuations	
Any other Council officer reporting directly to the Manager Accounting Services	
Council officers reporting directly to Tier 4 Council officers in the Accounting Services Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Accounting Services Department	Tier 6
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the Accounting Services Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Accounting Services – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Accounting Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Accounting Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Tier 5
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 4
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 4
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 4
Power to decide whether to take any Tribunal actions.	Tier 5
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 5
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Land Valuation Tribunal. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Manager Rates and Valuations Manager Accounting Services
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 4
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Chief Finance Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Chief Finance Officer
Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 5
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 5
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 5
Power to require an employee to work on a public holiday: s47.	Tier 5
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 5
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 5
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Act 1974	
Power to assess and collect a charge or rate for proportionate part of year: s517ZB	Manager Rates and Valuations Manager Accounting Services

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Accounting Services Department).	Tier 4
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 4
Property Law Act 2007	
Power to execute a deed: s9.	Tier 4
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3
Rates Rebate Act 1973	
Power to authorize other council staff to receive declarations: s13(1)(b)	Tier 5
Power to receive declarations: s13(2)	Tier 7
Duty to grant rebate of rates: s5(5).	Tier 6
Duty, if satisfied the application is properly completed, to grant the application and pay to the ratepayer the amount of the refund to which the ratepayer is entitled: : s6(4)	Tier 6
Duty to refund to owner of owner-occupier flat of contribution towards rates: s7(5)	Tier 6
Power to apply to Secretary for Local Government for refund of rebates granted: s9	Tier 6
Power to recover over payment of refunds as a debt due to the Crown: s10(2)	Tier 5
Power to seek advice from the Minister for Local Government on any matter connected with any application for a rebate or refund of rates under this Act: s11A	Tier 5
Rating Valuations Act 1998	
All powers, duties and functions under the Ratings Valuations Act 1998	Team Leader Valuations
Rating Valuations Regulations 1998	
All powers, duties and functions under the Rating Valuations Regulations 1998	Team Leader Valuations

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Waitemata City Council (Farm Land) Act 1985	
All duties to consider and determine changes in the rateable value for subdivided land on farm-land roll and any property that has become urban farm land, to alter roll accordingly, and to give notice: ss3, 4, 5	Team Leader Valuations

Auckland Council Delegations: Information Services

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Information Services

General Delegation

The Chief Executive Officer delegates to all officers in the Information Services Department all of his responsibilities, duties and powers relating to Information Services, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Information Services matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Information Services** means the management, delivery and support of, technical infrastructure, applications and data
- **Information Services Department** means:
 - a) the Council department of that name, and comprising the Head of Information Services and all Information Services roles that report directly or indirectly to the Head of Information Services; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Information Services Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Information Services Department

Description of role	Level of Authority
Head of Information Services	Tier 3
Enterprise Architecture and Security Manager	Tier 4
Enterprise Information Delivery Manager	
Information Services Enterprise Services Manager	
Solution Delivery Manager	
Information Services Service Management Manager	
Information Services Value Services Manager	
Any other Council officer reporting directly to the Head of Information Services	
Council officers reporting directly to Tier 4 Council officers in the Information Services Department	Tier 5
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the Information Services Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Information Services – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Information Services Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Information Services Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 4
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Head of Information Services or their delegate
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Chief Finance Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Chief Finance Officer

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Information Services Department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Auckland Council Delegations: Treasury

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Treasury

General Delegation

The Chief Executive Officer delegates to all officers in the Treasury Department all of his responsibilities, duties and powers relating to Treasury, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any Treasury matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Treasury** means the activities associated with both the borrowing and investing of money on behalf of Council and its CCOs. Activities include undertaking transactions in money markets, debt capital markets, foreign-exchange and derivative markets. Activities include identifying, managing and reporting on the risks associated with these activities in line with Council policies.
- **Treasury Department** means:
 - a) the Council department of that name, and comprising the Treasurer and all Treasury roles that report directly or indirectly to the Treasurer; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Treasury Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Treasury Department

Description of role	Level of Authority
Treasurer and Head of CCO Governance and External Partnerships	Tier 3
Treasury Funding Manager	Tier 4
Treasury Reporting Manager	
Any other Council officer reporting directly to the Treasurer	
Council officers reporting directly to Tier 4 Council officers in the Treasury Department	Tier 5
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the Treasury Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Treasury – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the Treasury Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Treasury Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 4
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Chief Finance Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Chief Finance Officer

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 5
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Treasury department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Watercare	
Power to execute a Deed of Acknowledgement or Consent Notice with respect to the Watercare Deed Poll Guarantee in accordance with the Watercare Guarantee Facility Deed.	Tier 3
Power to terminate the Watercare Guarantee Facility Deed and Watercare Deed Pool Guarantee following an Event of Default (in accordance with provisions for such termination).	Tier 3
Power to suspend the Watercare Guarantee Facility Deed following an Event of Suspension (in accordance with provisions for such suspension).	Tier 3
Power to make a demand under the Watercare Deed of Indemnity and Contribution in respect of any liability sustained by the council under the Watercare Deed Poll Guarantee (in accordance with provisions for such demand).	Tier 3
Power to make a demand of Watercare for recovery of any loss arising out of the Watercare Deed Poll Guarantee (in accordance with provisions for such demand).	Tier 3
Power to set the Watercare Guarantee Facility Fee Rate (in accordance with provisions for setting such fee).	Tier 3

Auckland Council Delegations: Property

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Resource Management Act 1991 and Local Government (Rating) Act 2002 – Auckland Council delegations*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

Property

General Delegation

The Chief Executive delegates to all officers in the Property Department all of his responsibilities, duties and powers relating to Property, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation. Note that the Resource Management Act 1991 and Local Government (Rating) Act 2002 prevent the Chief Executive from sub-delegating powers etc under those Acts. Officers should therefore refer to the separate Council delegations direct to officers in *Auckland Council delegations under the Resource Management Act 1991 and Local Government (Rating) Act 2002*.

This delegation does not preclude the Chief Executive from referring any Property matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **Property** means the property services provided by the Property Department including the management and control of Council infrastructure and property that is used to deliver Council services.
- **Property Department** means:
 - a) the Council department of that name, and comprising the Manager Property and all Property roles that report directly or indirectly to the Manager Property; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the Property Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in Property Department

Role	Level of Authority
General Manager Property	Tier 3
Manager Operations	Tier 4
Manager Business Information and Fleet Services	
Manager Safety and Risk	
Manager Workspace Performance	
Manager Project Delivery	
Manager Leasing and Land Advisory Services	
Manager Strategic and Asset Planning	
Any other Council officer reporting directly to the General Manager Property	
Council officers reporting directly to Tier 4 Council officers in the Property Department	Tier 5
Council officers reporting directly to Tier 5 Council officers in the Property Department	Tier 6
Council officers reporting directly to Tier 6 Council officers in the Property Department	Tier 7
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the Property Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of Property – see *Tier Two Officers and General rules applying to all delegations - Auckland Council*.

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Schedule 2 – Scope of delegated functions, powers, and duties for the Property Department: restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the Property Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[Refer to <i>Financial delegations – Auckland Council</i> for the financial restrictions which apply to the exercise of all delegated powers]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Power to sign the Authority and Instruction form on behalf of the Council in respect of an eDealing transaction to be managed by Legal Services conditional on council authority confirmation.	Tier 4
Power, as Institutional Chargeholder to sign an Authority to Discharge letter or consent letter	Tier 4
Power to make decisions with regard to proceedings in the Tenancy Tribunal	Tier 4
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems	Tier 3
Property	
Power to approve works on, over or under Council land, including leases where there is a commercial aspect This does not apply to parks, reserves or roads	Tier 4
Power to act with full powers as the affected party in respect of all land and buildings owned, leased or managed by Council	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to act with full powers as the affected party in respect of land and buildings which are not owned by the Council	Tier 3
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan	Tier 3
Power to give consent and make submissions or objections as adjoining landowner or potentially affected party in relation to property that Property Department is responsible for.	Tier 4
Power to sign certificates defining legal boundaries adjoining council land that is not park or reserve or legal road	Tier 4
Power to make building and resource consent applications	Tier 4
Power to close a premises / facility in an emergency situation	Tier 4
Power to sign applications, documents or instruments or certify any document or instrument in relation to any interest in land, on behalf of the Council	Tier 4
Power to approve amendments to or withdrawals or discharges of caveats, easement certificates, compensation certificates, and releases of bonds or encumbrances	Tier 4
Power as property owner, to approve or decline all periodic and fixed term residential tenancies	Tier 5
Power, as property owner to approve contributions to tenants for minor repairs and repainting	Tier 5
Power, as property owner to terminate tenancies for non-compliance with tenancy agreements	Tier 5
Power, as lessor or lessee, or licensor or licensee to terminate leases or licences within the terms of the contract	Tier 5
Power to set, review and reduce prices and rents in relation to existing Council leases	Tier 5
Power as lessor or lessee to sign agreements to lease for residential and commercial property	Tier 5
Power as property owner, lessor, assignor or licensor to approve the assignment and surrender of leases and licences	Tier 5
Power as lessee or licensee to approve the sublease, assignment and surrender of leases and licences	Tier 5
Power to approve variations to commercial, industrial and residential leases and licences	Tier 5
Power to approve a renewal of lease where there are no variations to the lease	Tier 5

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to administer leases of council-owned swimming pools and community facilities. This includes the power to enforce the conditions in a lease, such as terminating the lease and approving rights of renewal where no rent review is involved	Tier 5
Statutory functions, powers and duties	Minimum level of authority required
Airport Authorities Act 1966	
Power to transfer any real or personal property to the airport company: s3A(6)	Tier 3
Auckland City Endowments and Reserves Act 1875	
Power to raise money by mortgage or debenture over certain endowment lands: s3(1)	Chief Finance Officer
Power to deal with certain endowment land and structures on the land: ss3(2), 3(3), 3(4), 4	Tier 3
Auckland Improvement Trust Act 1971	
Power to lease certain land: s4(6)	Tier 3
Power to lease, sell or exchange land to which this Act applies: s6(1)(b)	Tier 3
Power to grant lease over subsoil of all or part of Alten Road Reserve, and impose conditions, and to explore, investigate, and develop parts of the tunnel complex beneath Alten Road Reserve: ss5(1A) and (1B)	Tier 3
Power to impose further conditions, approve sublease, terminate or approve a surrender of lease: s4(6)	Manager Leasing and Land Advisory Services
Power to fix reasonable or to reduce rent: ss4A(1)(c) and (d)	Manager Leasing and Land Advisory Services
Power to apply income gained from leases, and income and interest gained through investments for certain purposes: s8	Tier 3
Electricity Act 1992	
Power to object to the requirements of the Secretary of the Ministry of Economic Development by lodging a written notice of objection with the Registrar of the District Court: s9	Tier 3
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66	Tier 4
Power to refuse request of employee for flexible working on certain grounds: s69AAF	Tier 4
Hauraki Gulf Marine Park Act 2000	
Power as constituent party to acquire, hold or dispose of property for the use of the Forum: s26(a)	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35	Tier 3
Power to require an employee to work on a public holiday: s47	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4)	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39	Tier 5
Power to agree with the employee to the transfer of a public holiday: s44A	Tier 5
Impounding Act 1955	
Power to acquire land under the Public Works Act 1981 for the purpose of establishing a pound or a temporary pound: s7	Tier 3
Power, as occupier of land, to destroy wild stock unsold or not removed by purchaser: s40	Tier 4
Land Transfer Act 1952	
Power to bring alienated land under the Act: 20	Tier 3
Power to certify instruments: s164(2)	Tier 3
Power to certify electronic instruments and paper instruments of a class specified for the purpose by regulations made under this Act: s164B	Tier 3
Power to bring an action against the Crown for recovery of damages for mistake or misfeasance of Registrar: s172	Tier 3
Power to request removal of easements and profits à prendre from LINZ register and removal of fencing covenants from title: ss70 and 71	Tier 4
Power to apply to Registrar to create one computer register for the whole of the land, or several computer registers, each comprising portion of the land: s86(1)	Tier 4
Power, on the subdivision of any land, to make application to the Registrar to have the access strip brought under the provisions of this Act: s89A	Tier 4
Power, as registered proprietor to consent to an application under 89A in writing duly attested by a witness: s89B	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power as controlling authority to lodge a caveat against bringing land under the Act: s89C	Tier 4
Power to request transfers of any land or estate or interest in land or the creation or surrender of any easement or profit à prendre by transfer instrument: s90	Tier 4
Power to request creation and surrender of easements by easement instrument: s90A	Tier 4
Power, as registered proprietor or grantee to consent to the creation or surrender of easements, or to execute an easement variation instrument: ss90B and 90C	Tier 4
Power to execute Deeds inter partes creating and noting land covenants: s90F	Tier 4
Power to execute mortgage instruments or encumbrance instruments conditional on delegate having the financial authority: s101	Tier 4
Power to execute variation of mortgage terms instruments: s102	Tier 4
Power to execute variation of priority of mortgages instrument: s103	Tier 4
Power to consent as sub mortgagee to the variation of the terms of a mortgage: s114(b)	Tier 4
Power to execute a lease instrument or lease variation instrument: ss115(3)(a) and 116(6)	Tier 4
Power, as mortgagee or lessee, to request the Registrar to bring down a mortgage when a renewed or substituted lease is registered: s117	Tier 4
Power to execute a covenant for right of purchase: s118	Tier 4
Power, as lessee on acquisition of the fee simple estate, to request the Registrar to bring down registered encumbrances affecting the lease against the fee simple: s118A	Tier 4
Power to give consent as mortgagee for lease of mortgaged or encumbered land to be binding upon the mortgagee: s119	Tier 4
Power to execute a lease surrender instrument: s120(3)	Tier 4
Power to execute and submit for registration a caveat against bringing land under Act or against dealings with land under Act: ss136 and 137	Tier 4
Power to make application to High Court for removal of caveat: s143	Tier 4
Power to apply for caveat against dealings to lapse: s145A	Tier 4
Power to execute and submit withdrawal of caveat: s147	Tier 4
Power as caveator to consent to electronic registration: s147A	Tier 4
Duty to surrender instruments affecting title to the Registrar: s189	Tier 4
Power to refer the matter, by notice in writing, to the Registrar for reconsideration of his decision: s216	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Local Government Act 2002	
Power to acquire any land that may be necessary or convenient for the purposes of, or in connection with, any public work: s189	Tier 3
Local Government (Auckland Transitional Provisions) Act 2010	
Power to register title to land with the Registrar General of Land: s85	Tier 3
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the Property department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993	Tier 3
Property Law Act 2007	
Power to execute a deed: s9	Tier 4
Power to sign dispositions of interests in land and other property: s25	Tier 3
Power to execute contracts of guarantee: s27	Tier 3
Power to assign things in action: s50	Tier 3
Power to apply to a court for relief for wrongly placed structure: s322	Tier 3
Power to apply to a court for an order under section 328(1) granting reasonable access to any landlocked land: s327	Tier 3
Power to apply to a court for order of removal or trimming of trees or removal or alteration of structures: s334	Tier 3
Power as vendor to cancel an agreement after certain conditions have been complied with: s28	Tier 4
Power to re-enter land peaceably: s28(4)	Tier 4
Power as purchaser to apply for relief against cancellation: s33	Tier 4
Power as purchaser to apply for order requiring refund of deposit: s37	Tier 4
Power and duty as vendor before the time of settlement to do all acts necessary to cause the register to cease to be limited as to title: s41(2)(a)	Tier 4
Power as vendor to bid at auction sales of property other than goods conditional on delegate's limit of financial authority: s42	Tier 4
Power to make a short term lease: s208	Tier 4
Power to terminate lease: ss210 and 236	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to recover damages from lessor: s228	Tier 4
Power to exercise rights arising from covenants: s234	Tier 4
Power, as lessor to cancel lease for breach of covenants, including to pay rent: ss245 and 246	Tier 4
Power as lessee to terminate lease if unable to use premises: Schedule 3, Part 1, cl 10	Tier 4
Power as lessor to inspect premises: Schedule 3, Part 1, cl 11	Tier 4
Public Works Act 1981	
Power to sign notices under this Act: s4(6)(b)(ii)	Tier 3
Power to enter into an agreement to purchase land for any public work for which the local authority is responsible: s17(1)	Tier 3
Power to apply to the Maori Land Court for an order under the provisions of Part 9 of the Maori Affairs Amendment Act 1974: ss17(4), 18(5)	Tier 3
Duty to serve notice of desire to acquire land and to invite owner of land to sell: s18(1)	Tier 3
Power to proceed to take land for public work: s18(2)	Tier 3
Power to withdraw notice under section 18(1) of this Act: ss18(3) and 18(4)	Tier 3
Power to proceed to take land under certain circumstances: s18(7)	Tier 3
Power to purchase or improve land for granting as compensation: s21	Tier 3
Power to give notice of intention to take land to owner, conditional on the notice being signed by Chief Executive: s23(1)(c)	Tier 3
Power to represent the local authority at an Environment Court hearing into an objection: s24(6)	Tier 3
Power to agree to an Environment Court judge conducting an inquiry alone: s25	Tier 3
Power to submit a request to the Governor-General to take land for a local public work, such request to be signed by the Chief Executive: s26	Tier 3
Power to acquire or take and hold the land acquired for a public work subject to any particular estate, interest, easement, profit à prendre, covenant, or encumbrance, and to acquire or to take and hold any such estate or interest separately: s28	Tier 3
Power to acquire or take any land vested in any local authority or any land vested in trustees for any local or general public purpose: s29(b)	Tier 3
Power to acquire surface, subsoil, or air space separately, including subsoil that has not already been acquired, if required at a later date: s31	Tier 3

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Statutory functions, powers and duties	Minimum level of authority required
Power to subdivide, develop, provide access to, set apart, or dispose of any severed land taken under this section: s34(3)	Tier 3
Power to dispose or not dispose of surplus land to the former owner or the successor of that person, or the owner of adjacent land where applicable, when the land has been declared surplus by the council: ss40(1), (2) and (4)	Tier 3
Power to apply to the Maori Land Court for disposal of former Maori land when no longer required: s41(e)	Tier 3
Power of disposal of land not required for public work when section 40 of this Act does not apply: s42	Tier 3
Power to sell land on deferred payments: s43	Tier 3
Power to deal with land held for public work in strata: s49	Tier 3
Power to transfer existing public works to Crown or a local authority for other public works: s50	Tier 3
Power to request that land held for one public work be set apart for another public work by notice in the Gazette: s52(4)	Tier 3
Power to assess compensation for injurious affection where no land taken: s63	Tier 3
Power to assess compensation for land for which no general demand exists: s65	Tier 3
Power to offer compensation for estate or interest in land taken: s70(1)	Tier 3
Power to decline an application from an owner or occupier to do something on land under section 71(5) of this Act: s71(7)	Tier 3
Power to consent as notifying authority to registration of a dealing: ss73(4) and 74(4)	Tier 3
Power to pay compensation to tenants of residential and business premises: s75	Tier 3
Power to refund expenses where acquisition of land abandoned: s76	Tier 3
Power to take proceedings to determine compensation if person entitled fails to make claim: s79	Tier 3
Power to apply to District Court for an order requiring Public Trust to represent infants, absentee owners, etc: s81	Tier 4
Power, as claimant or respondent to file claims in District Court requiring claim to be heard by Tribunal: s84	Tier 3
Power to pay compensation to Public Trust when title doubtful: s96	Tier 3
Power to pay the mortgagor the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the mortgagee: s99	Tier 3

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Statutory functions, powers and duties	Minimum level of authority required
Power to pay the owner of land the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the holder of any rent charge: s100(3)	Tier 3
Power to grant easements in lieu of compensation: s103	Tier 3
Power to grant land as compensation where equivalent land not readily available: s105	Tier 3
Power to enter into an agreement with a person entitled to land under section 105 or 106 for the repayment of any money agreed to be due by way of equality of exchange: s107(1)	Tier 3
Power to apply to the Land Valuation Tribunal to fix the value of land that is subject to exchange: s107(2)	Tier 3
Power to sign notice of any charge under subsection 4 and any certificate releasing any such charge: s107(6)	Tier 3
Power to grant lease or licence as compensation to lessee or licensee of land taken: s107A	Tier 3
Power to authorise any person to enter and re-enter onto private land for the purpose of survey, and to give reasonable notice to the owner of land: ss110(1) and 110(2)	Tier 4
Power to authorise any person to enter land for other survey and investigation purposes and to give 10 days notice to owner of entry to land: ss111(1) and 111(2)	Tier 4
Power to give written consent for land to be declared road: s114	Tier 3
Power to sign certificate of consent or notice of discharge of certificate of consent: s115(9)	Tier 3
Power to enter into and carry out agreements to combine with Government in any undertaking of both national and local importance. Conditional on consultation with the Chief Executive	Chief Finance Officer
Power to recover costs in respect of some work under this section: s234(3)	Tier 3
Power to take proceedings for the recovery of damages in respect of removal of or damage to a public work: s238	Tier 3
Power to recover land and damages from persons holding illegal possession: s240	Tier 3
Power to enter or to authorise a council officer to enter land for the purposes of section 27(2) of this Act (including taking or removing any natural material for public work): s27	Tier 4
Power to grant lease, tenancy, or licence to occupy of land held for public work: s45	Tier 4
Power to grant easement over land held for public work: s48	Tier 4
Power to consent to registration of dealing while a charge under section 107(4) is registered against land: s107(5)	Tier 4

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power to require the removal of trees and hedges that interfere with roads or public works, and to sign and serve notice of requirement: ss133 and 134	Tier 4
Power to enter onto land to do emergency work on trees, etc to recover costs and expenses of carrying out work: s135	Tier 4
Power to apply land held for any public work to any authorised secondary use or to grant licences, permits, and privileges in respect of any authorised secondary use of the land: s191	Tier 4
Duty to provide notice in writing before entry onto private land: s233	Tier 4
Powers of emergency entry on land to prevent interference or damage to any public work and duty: s234	Tier 4
Power to consent in writing to excavations near public works: s237	Tier 4
Power to remove and dispose of abandoned property from public works land, and to give notice of intention to sell or destroy abandoned property: s239	Tier 4
Power to give notice of decision on public sales of land under section 42 of this Act: s42(2)	Tier 5
Responsibility to consult with District Land Registrar as to practicability to amalgamate land: s107(9C)	Tier 5
Reserves Act 1977	
Ministerial powers, functions and duties under the Reserves Act 1977 as set out in the Minister's "Instrument of Delegation for Territorial Authorities" dated 12 June 2013 (attached as document number 33 of the Delegations Register).	Tier 3
Power to do all things necessary to effect any exchange of reserves for other land: 15(3).	Tier 3
Power to control and manage any land that is not a reserve: s38	Tier 3
Power to grant rights of way and other easements over reserves where contemplated in an approved management plan or where already existing and the use will be the same or similar in character, intensity and scale: s48(1)	Tier 3
Power to purchase land on deferred payments: s64	Tier 3
Rodney County Council (Gulf Harbour) Vesting and Empowering Act 1977	
Power to license or permit any part of the land vested in the Council under this Act (including any part of the foreshore or of the bed of the sea) or any building or structure, to be used or occupied for boat harbour purposes for such period and upon such terms and conditions as the Council may think fit: s9.	Tier 3
Power to lease the whole or any part or parts of such reclaimed land to any person or persons for boat harbour purposes for any term with such right or rights of renewal and on such terms and conditions as the Council may think fit: s10(a)	Tier 3

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Statutory functions, powers and duties	Minimum level of authority required
Power to accept a surrender of any such lease, whether as to the whole or to any part of the land, and power to grant to the lessee, or any person or persons with the consent of the lessee, a new lease or new leases of the whole or any part or parts of the land comprised in the surrendered lease for the remainder or any part of the remainder of the term of the surrendered lease, on such terms and conditions as may be determined by the Council: s10(b)	Tier 3
Soil Conservation and Rivers Control Act 1941	
Power to register the land improvement agreement, or a variation or substitution to that agreement, against the title of that owner or occupier to the whole or any part of the land to which the agreement relates: ss30A(3); 30A(4)	Tier 3
Power to, on the expiration or termination, either in whole or in part, of a registered land improvement agreement, sign a certificate to that effect and deposit it with the Registrar: s30A(5)	Tier 3
Power to on payment of a fee of deposit with the Registrar a certificate specifying the amount payable and unpaid under the agreement in respect of the default by any owner or occupier of the land and the registered estate or interest of that owner or occupier in any land against the title to which the agreement is registered: s30A(10)	Tier 3
Trespass Act 1980	
Power to grant authority to any employee or other person to act as occupier of any council-controlled property S2	Tier 5 Manager Security and Access Services
Power to warn a trespasser to leave the property: s3	Tier 6 Security Specialist, Security and Access Services
Power to either at the time of the trespass or within a reasonable time thereafter, warn a trespasser to stay off the property: s4(1)	Tier 6 Security Specialist, Security and Access Services
Power to, where there is reasonable cause to suspect that any person is likely to trespass on the property, warn that person to stay off the property and to require that a person give name and other particulars: ss4(2) and 9(1)	Tier 6 Security Specialist, Security and Access Services
Trustee Act 1956	
All powers, duties and functions in the Trustee Act except those listed below	Chief Finance Officer
Power as trustee to sell; dispose of; postpone the sale, calling in, and conversion of; let or sublet; lease or sublease; reduce rent or modify terms of; any property vested in him/her: s14(1)	Tier 3
Power as trustee to purchase land in New Zealand: s14(2)	Tier 3

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Statutory functions, powers and duties	Minimum level of authority required
Power as trustee to erect a dwelling house on land that is subject to the same trusts: s14(2A)	Tier 3
Power as trustee to acquire or occupy; or enter into any lease, licence, agreement or other arrangement to occupy, any flat or apartment: s14(2B)	Tier 3
Power as trustee to accept or concur or join with any other person in accepting a lease or sublease of any property: s14(3)	Tier 3
Power as trustee to grant to a lessee or sub lessee a right of renewal, or optional or compulsory purchasing clause, or right to compensate for improvements: s14(5)	Tier 3
Power as trustee to subdivide land: s15(1)(c)	Tier 3
Power as trustee to grant easements and profits a prendre and enter into party wall agreements: s15(1)(e)	Tier 3
Power as trustee for sale to sell any property vested in the trustee: s16	Tier 3
Power as trustee to rescind or cancel or modify or vary any contract or agreement for the sale and purchase of any land: s14(4)	Tier 4
Power as trustee to expend money for the repair, maintenance, upkeep, renovation, improvement, or development of the property: ss15(1)(a) and 15(1)(b)	Tier 4
Power as trustee to contribute money towards the construction and maintenance of works likely to be beneficial to the property: s15(1)(d)	Tier 4
Power as trustee to pay rates, taxes, assessments, insurance premiums and other outgoings in respect of the property: s15(1)(f)	Tier 4
Unit Titles Act 1972	
Power as proprietor to subdivide land into units: s3	Tier 3
Power as proprietor to request the Registrar to issue a separate certificate of title for any principal unit: s8(2)	Tier 3
Power as proprietor along with proprietors of all the units to sell or lease part of the common property or to grant an easement over the whole or any part of it: s9(3)	Tier 3
Power as proprietor to deal with accessory units but on a restricted basis: s10(2)	Tier 3
Power to represent the Council, as proprietor at Body Corporate meetings: s12	Tier 3
Power as Lessor to apply for appointment of administrator or cancellation of unit plan: s28	Tier 3
Power to apply to the court for the appointment of an administrator: s40	Tier 3
Power as proprietor to apply to the Registrar for the cancellation of all the units on a plan: s45	Tier 3

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Power as proprietor to make application to Court for order of cancellation of plan: s46	Tier 3
Power as proprietor to apply for an order to settle a scheme: s48	Tier 3
Power to apply to the Court for an order compelling the body corporate to carry out the requirement or perform the duty, as the case may be, and on any such application the Court may make such order as it thinks proper: s51	Tier 3

Auckland Council Delegations: CCO Governance & Monitoring

Adopted 1 July 2011

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Auckland Council delegations: Local Boards (including Local Board Protocols*

CCO Governance & Monitoring

General Delegation

The Chief Executive Officer delegates to all officers in the CCO Governance & Monitoring Department all of his responsibilities, duties and powers relating to CCO Governance & Monitoring, subject to the restrictions set out in Schedule 2 and the *General rules applying to all delegations - Auckland Council*, and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.

This delegation does not preclude the Chief Executive Officer from referring any CCO Governance & Monitoring matter to the governing body or a local board, or a committee (including a subcommittee) of the governing body or a local board, for a decision for any reason.

For the purposes of this delegation:

- **CCO Governance & Monitoring** means:
 - a) SOI negotiation and performance monitoring;
 - b) CCO board governance; and
 - c) CCO related policy development and review.
- **CCO Governance & Monitoring Department** means:
 - a) the Council department of that name, and comprising the Manager CCO Governance & Monitoring and all CCO Governance & Monitoring roles that report directly or indirectly to the Manager CCO Governance & Monitoring; or
 - b) any department (whatever its name) that, after 30 June 2011, performs or exercises the same or a substantially similar role as the CCO Governance & Monitoring Department as at 30 June 2011.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 1 – Levels of authority in the CCO Governance & Monitoring Department

Description of role	Level of Authority
Manager CCO Governance & Monitoring	Tier 3
Any Council officer reporting directly to the Manager CCO Governance & Monitoring	Tier 4
Council officers reporting directly to Tier 4 Council officers in the CCO Governance & Monitoring Department	Tier 5
Any Council officer with direct reports	People leader

Note: Although the Chief Financial Officer is not part of the CCO Governance and Monitoring Department, as the governing Tier 2 officer, they are also delegated all responsibilities, duties or powers in respect of CCO Governance and Monitoring – see *Tier Two Officers* and *General rules applying to all delegations - Auckland Council*.

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Schedule 2 – Scope of delegated functions, powers, and duties for the CCO Governance & Monitoring Department: Restrictions/limitations

The following functions, powers or duties may only be exercised by an officer in the CCO Governance & Monitoring Department having the specified level of authority or higher:

General functions, powers and duties	Minimum level of authority required
Administrative	
Power to authorise inter-divisional journal transactions.	Chief Finance Officer
Employment	
Power to hire staff	Tier 4 (as authorised by Tier 3 and recorded in individual Department spreadsheets)
Power to terminate staff	Tier 4
Financial	
[The financial restrictions which apply to the exercise of all delegated powers are listed separately in <i>Financial delegations – Auckland Council</i>]	
Gifts/koha	
Power to authorise the giving of gifts or koha to outside organisations or outside individuals subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to internal individuals (employees, volunteers and contractors) in circumstances where the Council Recognition Framework does not apply, subject to disclosure to Integrity and Investigations Manager and adherence to Council Gifts Policy	Tier 3
Power to authorise the giving of gifts or koha to employees to recognise performance or achievement subject to compliance with the Council Recognition Framework	All people leaders
Legal	
Power to decide whether to defend a case in the Court of Appeal or Supreme Court where an action against the Council is threatened or instigated. Conditional on consultation with Director Legal and Risk and with Council's insurance advisors and to report any court action to the relevant committee.	Tier 2
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the High Court, Court of Appeal or Supreme Court or by arbitration, up to a value of \$400,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 2

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

General functions, powers and duties	Minimum level of authority required
Power to make ex gratia payments of up to \$40,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 2
Power to decide whether to defend a case in the District Court or High Court where an action against the Council is threatened or instigated. Conditional on consultation with Manager Litigation and Regulatory.	Tier 3
Power to decide whether to initiate High Court, Court of Appeal or Supreme Court proceedings that fall within the manager's field of activities and delegated functions. Conditional on consultation with Director Legal and Risk and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take District Court actions; conditional on consultation with Manager Litigation and Regulatory and reporting any court action taken to the relevant committee.	Tier 3
Power to decide whether to take any Tribunal actions.	Tier 3
Power to agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the District Court or a Tribunal other than arbitration, up to a value of \$200,000. Conditional on consultation with Director Legal and Risk and reporting any settlements to the relevant committee.	Tier 3
Power to make ex gratia payments of up to \$25,000 in situations where legal advice indicates there is no legal obligation but where the making of such a payment is the best use of Council resources. Conditional on consultation with Director Legal and Risk and reporting any payments to the relevant committee.	Tier 3
Privacy	
Power to inspect and copy e-mails and other files saved on Council computer systems.	Tier 3
Property	
Power to approve minor land purchases or sales, for public works, including but not limited to, encroachments, boundary adjustments, vesting of designations on subdivision, subject to the transaction being in accordance with the Long-Term Plan.	Tier 3
Power to make building consent applications.	Tier 3
Power to close a premises / facility in an emergency situation.	Tier 3
Travel	
Power to approve domestic travel for the Mayor and Deputy Mayor.	Chief Finance Officer
Power to verify expenses relating to approved travel (both domestic and international) by the Mayor and / or Deputy Mayor.	Chief Finance Officer

Are you making a decision on a local board matter? Check the current versions of the local board delegations and local board protocols to make sure you have authority to act.

Statutory functions, powers and duties	Minimum level of authority required
Employment Relations Act 2000	
Power to authorise fixed term employment contracts: s66.	Tier 4
Power to refuse request of employee for flexible working on certain grounds: 69AAF.	Tier 4
Holidays Act 2003	
Power to require employee to take annual holidays: ss19 and 20.	Tier 4
Power to require employees to take annual leave or discontinue work during close down period: s32.	Tier 3
Power to nominate a date which must be treated as the closedown date for an employee not entitled to annual holidays: s35.	Tier 3
Power to require an employee to work on a public holiday: s47.	Tier 4
Power to allow bereavement leave in cases not automatically covered: s69.	Tier 4
Power to agree with employee arrangements to deduct from the employee's current sick leave entitlement in specified circumstances: s71(4).	Tier 4
Power to allow employee taking annual holidays to take sick leave, bereavement leave, or annual leave: ss36, 37, 38, 39.	Tier 4
Power to agree with the employee to the transfer of a public holiday: s44A.	Tier 4
Local Government Official Information and Meetings Act 1987	
All functions powers and duties under the Local Government Official Information and Meetings Act 1987 except for: <ul style="list-style-type: none"> the power to extend the time limit to provide the official information: s14; and the power to extend the time for providing requested information to an Ombudsman: s29(2). (Those two powers cannot be exercised by any officers in the CCO Monitoring department).	Tier 3
Privacy Act 1993	
All functions, powers and duties under the Privacy Act 1993.	Tier 3
Property Law Act 2007	
Power to execute a deed: s9.	Tier 3
Power to sign dispositions of interests in land and other property: s25.	Tier 3
Power to assign things in action: s50.	Tier 3

Auckland Council Delegations: Local Boards

This delegation document needs to be read in conjunction with the documents:

- *General rules applying to all delegations - Auckland Council*
- *Financial delegations – Auckland Council*
- *Local Board Delegation Protocols (attached as Schedule 2)*

General delegation from Chief Executive in relation to Local Board responsibilities, duties and powers

The Chief Executive, Auckland Council, delegates to officers, all responsibilities, duties and powers in relation to Local Boards, as described in Schedules 1 and 2, (attached) subject to the following exclusions, restrictions and clarifications:

1. the restrictions set out in the departmental delegations documents adopted on 1 July 2011 or as are from time to time amended or succeeded;
2. the financial authority be capped in accordance with Schedule 1 and exercised in accordance with Financial Delegations – Auckland Council
3. the exclusions, restrictions and clarifications adopted by Local Boards in providing the general delegation to the Chief Executive (see General Delegation from Local Boards to the Chief Executive)
4. the '*General Rules applying to all delegations – Auckland Council*';
5. the 'Local Board delegation protocols' (Schedule 2)

General Delegation from Local Boards to the Chief Executive

The General Delegation is from the Local Boards:

1. That in order to ensure the efficient and effective implementation of its statutory and allocated non-regulatory decision-making responsibilities, the Local Board delegates to the Chief Executive all responsibilities, duties and power subject to the following exclusions, restrictions and clarifications:
 - a. that the financial authority is capped at an amount specified by Local Board resolution(see Schedule 1).
 - b. that in exercising any delegation, the Chief Executive (and all officers exercising delegated authority) must act in accordance with any relevant Local Board policy or protocol (as approved by the Local Board). This includes policies or protocols for officer decision-making on local activities within the Local Board's decision-making responsibility.
 - c. that the Local Board may through the Chair, without amending its delegation to the Chief Executive, at any time or in any circumstance, direct officers that the Local Board will make a particular decision.
 - d. that these delegations do not prevent the Chief Executive from referring any matter to the Local Board for any reason.
2. in exercising his delegated authority, the Chief Executive will comply with the delegation protocols (see Schedule 2).
3. it is noted that the delegation protocols apply to activities within the decision-making responsibility of the Local Board.

Schedule 1 –Financial Authority

Local Board	Level of Financial Authority	
	OPEX	CAPEX
Albert-Eden	\$0.5m	\$0.5m
Devonport-Takapuna	\$2.5m	\$2.5m
Franklin	\$2.5m	\$2.5m
Great Barrier	\$0.5m	\$0.5m
Henderson-Massey	\$2.5m	\$2.5m
Hibiscus and Bays	\$2.5m	\$2.5m
Howick	\$1.0m	\$1.0m
Kaipatiki	\$2.5m	\$2.5m
Mangere-Otahuhu	\$2.5m	\$2.5m
Manurewa	\$1.0m	\$2.5m
Maungakiekie-Tamaki	\$1.0m	\$1.0m
Orakei	\$2.5m	\$2.5m
Otara-Papatoetoe	\$2.5m	\$2.5m
Papakura	\$1.0m	\$2.5m
Puketepapa	\$1.0m	\$1.0m
Rodney	\$2.5m	\$2.5m
Upper Harbour	\$2.5m	\$2.5m
Waiheke	\$1.0m	\$1.0m
Waitakere Ranges	\$2.5m	\$2.5m
Waitemata	\$1.0m	\$1.0m
Whau	\$2.5m	\$2.5m

Schedule 2 - Local Board Delegation Protocol

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Built and natural environment

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Economic development

- L Local business area planning

Street environment and town centres

- M Local street environment and town centres

General notes

In applying the delegation protocols officers should note the following:

- 1 Where Local Board “approval” is required this will require a report to the Local Board business meeting.
- 2 Where the protocols require consultation with a nominated Local Board portfolio holder, that Local Board member may refer the matter to another Local Board member. However, the nominated Local Board portfolio holder is responsible for coordinating feedback.
- 3 Where the protocols require officers to consult with the nominated Local Board portfolio holder, if the nominated Local Board portfolio holder disagrees with the officers recommendation, officers will refer the matter to the Local Board Chair for a decision as to whether the matter should be referred to the Local Board business meeting for a decision.
- 4 Where the protocols refer to ‘reporting’ to the Local Board on the work programme, this will take place at a business meeting of the Local Board requiring a report on the matter in question from the relevant department.
- 5 Local Boards may, through the Chair, request reports in addition to those provided on a quarterly basis.
- 6 Any reference to the Governing Body includes officers where the Governing Body has delegated decision-making responsibility to officers.
7. Officers are expected to apply a “no surprises” approach to working with local boards. Good lines of communication are needed with local board members and a relationship of trust needs to be developed and maintained. Irrespective of the delegated decision-making authority you may have, it is important to keep local board members informed and briefed to ensure there are no surprises at a later stage.

Planning, policy and governance

A Local planning, policy and governance

In exercising their delegated authority, officers will:

1. Develop in consultation with and refer the following to the Local Board for a decision:
 - a. Submissions from the local board to government on legislation where it specifically relates to that Local Board area only.
 - b. Any proposed local policies and plans. In doing so it is noted that:
 - the current focus is on the development of regional strategies, policies and plans; and
 - any local policies and plans must be within parameters set by regional strategies, policies and plans.
2. Consult with and obtain early input from the Local Board on:
 - a. the development and review of regional plans, policies, strategies and bylaws.
 - b. region-wide place-shaping activities where the local board will be affected.
 - c. submissions to central government not covered by 1(a) above.
3. Consult in a timely manner with and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 2: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- The delegation protocols apply to the statutory and non-regulatory decision-making allocation. Any regulatory areas where the Local Board has an interest in being consulted or kept informed will be included in the operational guidelines being developed for officers, e.g. liquor licensing and street trading.
- The Governing Body has to date delegated the following decisions to Local Boards. Processes are in place to implement these delegations to Local Boards and will be included in the operational guidelines being developed for officers:
 - Exemptions under the Fencing of Swimming Pools Act 1987.
 - Authorising the destruction of wandering stock on Great Barrier Island, in accordance with the Impounding Act 1955 is delegated to the Great Barrier Local Board.
 - Input into notification decisions for resource consent applications.
- Note to item 3: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.

Arts, culture and events services

B Local arts and culture facilities

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local arts and culture facilities to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset management plans for arts and culture facilities and assets (including appropriate schedules of asset renewal works).
 - f. development plans for local capital works.
 - g. the specific location and naming of new local arts and culture facilities.
 - h. naming and renaming of existing local arts and culture facilities.
 - i. any application for landowner consent that is referred to the Local Board for a decision by the nominated Local Board portfolio holder under 5 (a) below.
 - j. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - k. any other matters specified by the Local Board.
5. Consult with the nominated Local Board portfolio holder on:
 - a. applications where landowner consent is required (including affected party approval) and refer the landowner consent decision to the Local Board where required by the nominated Local Board portfolio holder.
 - b. proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.

7. Consult with and obtain early input from the Local Board on:
 - a. the prioritisation of new facilities and major upgrades to and closure of existing facilities for recommendation to the Governing Body.
 - b. the development and review of regional strategies and policies.
8. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 5: Officers will work with the nominated Local Board portfolio holder to determine a detailed approach for which landowner consent applications should be referred to the Local Board for decision as well as which applications will require consultation with the Local Board member.
- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of activities within local arts and culture facilities, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 8: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Arts, culture and events services

C Local arts and culture initiatives

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local arts and culture initiatives to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset management plans for local public artwork (including appropriate schedules of asset renewal works).
 - f. the specific location and naming of local public artwork.
 - g. local arts and culture funding and grants.
 - h. the tailoring of regional arts and culture initiatives, programmes and events to local needs.
 - i. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - j. any other matters specified by the Local Board.
5. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
6. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for regional arts and culture initiatives, programmes and events and the development and delivery of regional initiatives, programmes and events.
 - b. regional community grants to organisations based in the Local Board area.
 - c. regional public artwork and regional public art programmes in the Local Board area.

- d. the development and review of regional strategies and policies.
7. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Notes to item 5:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 6: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 7: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Arts, culture and events services

D Local events

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local events to the Local Board prior to the commencement of the financial year for approval.
2. Provide an annual events calendar to the Local Board prior to the commencement of the events year for approval, including changes to the calendar.
3. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
4. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
5. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. any proposed variations to the approved work programme that may result in an overspend.
 - b. the tailoring of regional event programmes to local needs.
 - c. local evaluation criteria, or guidelines to guide decisions on Local Board sponsorship of community events in the Local Board area.
 - d. local guidelines on the types of events that are appropriate in local parks and public spaces¹ in the Local Board area.
 - e. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - f. any other matters specified by the Local Board.
6. Consult with and obtain the views of the nominated Local Board portfolio holder on:
 - a. applications to hold events on council-owned land in the Local Board area that require regulatory approval and involve one or more of the following matters;
 - complete or substantial closure of the public space.
 - more than 500 people.
 - road closure.
 - liquor.
 - ticketed events.
 - b. any regulatory decision to set fees and charges (including decisions to waive fees) for the holding of local events on council-owned local parks and reserves; and refer the matter to the Local Board to obtain Local Board views and input where required by the nominated Local Board portfolio holder.

¹ Local guidelines only apply to those public spaces over which Local Boards have decision-making authority. It excludes roads and footpaths (Auckland Transport) and Waterfront Auckland land.

7. Notify the nominated Local Board portfolio holder of:
 - a. any areas that may involve reputational, financial, performance or political risk.
 - b. any decisions to approve events on council-owned land in the Local Board area.
8. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for Governing Body delivered or supported events.
 - b. sites for delivery of Governing Body delivered or supported events.
 - c. the development and review of Governing Body events policies.
9. Regularly brief the Local Board on all events being undertaken with Council involvement in the Local Board area.
10. Invite the Local Board to all local or Governing Body delivered or supported events that take place in the Local Board area.
11. Consult with and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Notes to item 7:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of events approved on council-owned land in the Local Board area, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 8: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 11: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.
- These protocols do not apply to the Auckland Tourism Events and Economic Development council-controlled organisation.

Community services

E Local community development initiatives

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local community development initiatives to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. the tailoring of regional community development initiatives and programmes to local needs.
 - f. local community funding and grants.
 - g. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - h. any other matters specified by the Local Board.
5. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
6. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for regional community development initiatives and programmes and the development and delivery of regional initiatives and programmes.
 - b. regional community grants to organisations based in the Local Board area.
 - c. the development and review of regional strategies and policies.
7. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Notes to item 5:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 6: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 7: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Community services

F Local community facilities

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local community facilities to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset renewals for local community facilities and assets within regional parameters and standards (including appropriate schedules of asset renewal works).
 - f. development plans for local capital works.
 - g. the specific location and naming of new local community facilities.
 - h. naming and renaming of existing local community facilities.
 - i. granting of leases, licenses and licenses to occupy within local community facilities (in line with the Community occupancy guidelines – note that this will exclude regional parks, volcanic cones etc).
 - j. a proposal to change the governance or operating model of any local community facility (e.g. a proposal to terminate an arrangement with a community group running a facility and establish in-house management).
 - k. any application for landowner consent that is referred to the Local Board for a decision by the nominated Local Board portfolio holder under 7 (a) below.
 - l. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - m. any other matters specified by the Local Board.

5. Follow the process outlined below for new community leases:
 - a. obtain authority from the Local Board to advertise for a community lease of a vacant property in the Local Board area, including the objectives and criteria for the new community lease.
 - b. assess proposed new community facility lease applications against the objectives and criteria approved in clause 5.a. above and in accordance with any community lease policy approved by the Local Board.
 - c. consult with the nominated Local Board portfolio holder on the applications, and confirm the preferred applicant.
 - d. report the recommended new community facility lease to the Local Board for approval.
6. Follow the process outlined below for renewal of existing community leases:
 - a. consult with the nominated Local Board portfolio holder on the proposed renewal and refer the renewal decision to the Local Board where required by the nominated Local Board portfolio holder.
 - b. if the lease is not renewed, report to the Local Board advising of a vacancy and seeking authority to advertise.
7. Consult with the nominated Local Board portfolio holder on:
 - a. applications where landowner consent is required (including affected party approval) and refer the landowner consent decision to the Local Board where required by the nominated Local Board portfolio holder.
 - b. proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
8. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
9. Consult with and obtain early input from the Local Board on:
 - a. the prioritisation of new facilities and major upgrades to and closure of existing facilities for recommendation to the Governing Body.
 - b. the development and review of regional strategies and policies.
10. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 4(i): This also includes the exercise of any termination rights.
- Note to items 5 and 6: There may be Reserves Act processes that are applicable to community leasing and licensing.

- Note to item 7: Officers will work with the nominated Local Board portfolio holder to determine a detailed approach for which landowner consent applications should be referred to the Local Board for decision as well as which applications will require consultation with the Local Board member.
- Notes to item 8:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of activities within local community facilities, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 9: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 10: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Community services

G Local community safety programmes

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local community safety programmes to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. the tailoring of regional community safety programmes to local needs.
 - f. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - g. any other matters specified by the Local Board.
5. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
6. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for regional community safety programmes and the development and delivery of regional programmes.
 - b. the development and review of regional strategies and policies.
7. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.

- Notes to item 5:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 6: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 7: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Libraries

H Local library facilities and services

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local library facilities and services to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges (excluding library collection and regional library management system fees and charges).
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset management plans for libraries and library assets (including appropriate schedules of asset renewal works).
 - f. development plans for local capital works.
 - g. the specific location and naming of new libraries.
 - h. naming and renaming of existing local libraries.
 - i. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - j. any other matters specified by the Local Board.
5. Consult with the nominated Local Board portfolio holder on:
 - a. proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
 - b. the use of local libraries for local exhibitions, programmes or events.
6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
7. Consult with and obtain early input from the Local Board on:
 - a. the development and review of regional strategies and policies and regional exhibitions, programmes and events within local libraries.

- b. the prioritisation of new facilities and major upgrades to and closure of existing facilities for recommendation to the Governing Body.
- 8. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 4: Local fees and charges are unique to the local library for the purpose of a distinct activity limited to that place. Regional collection and regional library management system fees and charges apply across the regional library network and relate to a process not a specific place. These are applied where there is region wide benefit to have consistency and/or there is technology constraint that prevents the application of more than one fee value.
- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of activities within local libraries, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 8: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Recreation services

I Local recreation facilities and initiatives

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local recreation facilities and initiatives to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset management plans for local assets (including appropriate schedules of asset renewal works).
 - f. development plans for local capital works.
 - g. the specific location and naming of new local recreation and sports facilities.
 - h. naming and renaming of existing recreation and sports facilities.
 - i. granting of leases, licenses, licenses to occupy and easements and rights of way within recreation and sports facilities.
 - j. the tailoring of regional arts and culture initiatives and programmes to local needs.
 - k. any application for landowner consent that is referred to the Local Board for a decision by the nominated Local Board portfolio holder under 5 (a) below.
 - l. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - m. any other matters specified by the Local Board.
5. Consult with the nominated Local Board portfolio holder on:
 - a. applications where landowner consent is required (including affected party approval) and refer the landowner consent decision to the Local Board where required by the nominated Local Board portfolio holder.

- b. proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
7. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for regional recreation and sports initiatives and programmes and the development and delivery of regional recreation and sports initiatives and programmes.
 - b. regional recreation and sports funding and grants to organisations based in the Local Board area.
 - c. regional recreation and sports programmes in the Local Board area.
 - d. the development and review of regional strategies and policies.
 - e. the prioritisation of new facilities and major upgrades to and closure of existing facilities for recommendation to the Governing Body.
8. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 5: Officers will work with the nominated Local Board portfolio holder to determine a detailed approach for which landowner consent applications should be referred to the Local Board for decision as well as which applications will require consultation with the Local Board member.
- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - c) Any other matters of interest, such as health and safety incidents, a summary of activities within local recreation and sports facilities, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 8: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Parks services

J Local parks

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local parks to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any substantive changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. asset management plans for local assets (including appropriate schedules of asset renewal works).
 - f. development plans for local capital works.
 - g. the specific location and naming of new local parks.
 - h. naming and renaming of existing local parks.
 - i. preparation and reviews of reserve management plans for local reserves.
 - j. granting of leases, licenses, licenses to occupy and easements and rights of way within local parks.
 - k. identification and prioritisation of new land for acquisition for recommendation to the Governing Body and recommendations relating to the disposal of land to the Governing Body.
 - l. any application for landowner consent that is referred to the Local Board for a decision by the nominated Local Board portfolio holder under 5 (a) below.
 - m. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - n. any other matters specified by the Local Board.

5. Consult with the nominated Local Board portfolio holder:
 - a. where landowner consent is required (including affected party approval and commercial operator permits) and refer the landowner consent decision to the Local Board where required by the nominated Local Board portfolio holder.
 - b. on proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
7. Consult with and obtain early input from the Local Board on:
 - a. reserve management plans, development plans and proposals for commercial activities within parks where decision-making is allocated to the Governing Body in the Local Board area.
 - b. proposed acquisition (or disposal) of local park land, including through a subdivision or land use consent process, and including any proposed officer recommendation to decline acquisition (particularly where the new park land is included in a approved structure plan or designation).
 - c. issues relating to maunga in the Local Board area.
 - d. any occupancy agreements within parks where decision-making is allocated to the Governing Body that require public notification.
 - e. the development and review of regional policies and strategies.
 - f. issues relating to open cemeteries in the Local Board area.
 - g. the prioritisation of new facilities and major upgrades to and closure of existing facilities for recommendation to the Governing Body.
8. Notify and where appropriate, invite the Local Board to any council organised public meetings, events and public ceremonies on parks where decision making is allocated to the Governing Body within the Local Board area.
9. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 4(j): This includes acquisition of interests in land such as rights of way and easements. Operational guidelines will be developed detailing the prioritisation and acquisition process.
- Note to item 5: Officers will work with the nominated Local Board portfolio holder to determine a detailed approach for which landowner consent applications should be referred to the Local Board for decision as well as which applications will require consultation with the Local Board member.

- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of activities within local parks, and any media interest of note will be included in the quarterly report. Activities within parks include minor works such as bollards, pathways and accessways. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 9: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.
- Any reference to the Governing Body includes officers where the Governing Body has delegated decision-making responsibility to officers.
- There may be Reserves Act processes that are applicable to these protocols.

Built and natural environment

K Local environment and heritage protection

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local environment and heritage protection to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within any parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to levels of service (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the general setting of fees and charges and any significant changes to those fees and charges.
 - d. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - e. development plans for local capital works and the scoping of local environmental and heritage initiatives and projects.
 - f. the tailoring of regional environmental and heritage programmes to local needs.
 - g. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - h. any other matters specified by the Local Board.
5. Consult with the nominated Local Board portfolio holder on proposed asset renewal works and refer these to the Local Board where required by the nominated Local Board portfolio holder.
6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
7. Consult with and obtain early input from the Local Board on:
 - a. Local Board priorities for regional environmental and heritage programmes and the development of and delivery of regional environmental and heritage programmes (subject to clause 4 (f)).
 - b. the development and review of regional environmental and heritage strategies, policies and plans (including urban design, waste management, landfills and stormwater).

8. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents, a summary of decisions to approve environment and heritage activities in the Local Board area, any relevant environmental research undertaken by the council, and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 8: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Economic development

L Local business area planning

For the purposes of clarification, the non-regulatory allocation of decision-making responsibility to Local Boards for local business area planning includes:

- local economic development plans, projects and initiatives (including local centre branding and marketing and local business events) within parameters set by regional strategies and policies.
- 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.

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local business area planning to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report six-monthly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme (this does not include reporting on BIDs).
4. Refer the following to the Local Board for a decision (within parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to service levels (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - d. local policies, plans or guidelines.
 - e. establishment of new or expansion of existing Business Improvement Districts, setting the strategic direction for BIDs (in partnership with the BIDs), and recommending the targeted rate for BIDs to the Governing Body.
 - f. any matter referred to the local board for a decision by the nominated Local Board portfolio holder under clause 5.
 - g. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - h. any other matters specified by the Local Board.
5. Consult with the nominated Local Board portfolio holder prior to making a decision on matters that have been specifically identified as part of the development and approval of the work programme and refer these matters to the Local Board where required by the nominated Local Board portfolio holder.

6. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
7. Consult with and obtain early input from the Local Board on the development and review of regional plans, policies and strategies.
8. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Note to item 3: BIDs are required to report regularly to Local Boards on the BID Partnership Programme and progress against objectives.
- Notes to item 6:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 7: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 8: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

Street environment and town centres

M Local street environment and town centres

For the purposes of clarification, the allocation of non-regulatory decision-making responsibility to Local Boards in the street environment and town centres is restricted by the following:

- Waterfront Auckland is responsible for the development of the city centre waterfront.
- Auckland Transport is responsible for the road network. This includes a number of plazas and civic spaces that are currently designated as “roads”.
- The Governing Body is responsible for transformation programmes.

Further policy work will be undertaken in 2013 on the appropriate roles and responsibilities of the various governance entities in the street environment and town centres.

In exercising their delegated authority, officers will:

1. Develop the work programme in consultation with the Local Board and provide the annual opex and capex (including asset renewal) work programme for local street environment and town centres to the Local Board prior to the commencement of the financial year for approval.
2. Act in accordance with any local policy or local guidelines set by the Local Board (within any parameters set by any regional strategy or policy).
3. Report quarterly to the Local Board on the work programme, including delivery, financial reporting and any proposed changes to the work programme.
4. Refer the following to the Local Board for a decision (within parameters set by the Local Board or any regional strategy or policy):
 - a. the setting of and any variations to service levels (through the Local Board Agreement).
 - b. any proposed variations to the approved work programme that may result in an overspend.
 - c. the setting of service specifications for contracts as they relate to the local board area (in accordance with the Local Board Agreement and local board budget).
 - d. local policies, plans or guidelines.
 - e. decisions of a politically sensitive nature as advised by the Local Board Chair.
 - f. any other matters specified by the Local Board.
5. Notify the nominated Local Board portfolio holder of any areas that may involve reputational, financial, performance or political risk.
6. Consult with and obtain early input from the Local Board on the development and review of regional plans, policies and strategies.
7. Consult with in a timely manner and obtain the approval of the Chair (or the Deputy Chair if the Chair is unavailable) to any communications that relate specifically to that local board.

Notes:

- Note to item 1: The annual work programme will include, for the purposes of context and information, the regional programmes and projects taking place in the Local Board area.
- Notes to item 5:
 - a) Where a matter relates to the Orakei Local Board officers must also notify the Chair.
 - b) Any other matters of interest, such as health and safety incidents and any media interest of note will be included in the quarterly report. Officers will also keep the nominated Local Board portfolio holder informed of these matters on a regular basis.
- Note to item 6: Local board views are generally obtained through a formal resolution at a business meeting and reported verbatim to the Governing Body.
- Note to item 7: Where communications relate to the Orakei Local Board officers must consult and gain the approval of the Chair and nominated portfolio holder.
- Where the Local Board does not have a portfolio holder it may nominate a Local Board member to be the primary contact. In the absence of a nominated Local Board portfolio holder or nominated Local Board member the Local Board Chair will be the primary point of contact. Where more than one local board member is nominated, the Local Board should nominate one member as the primary contact who will be responsible for coordinating feedback from the other nominated Local Board portfolio holders.

RESERVES ACT 1977

INSTRUMENT OF DELEGATION FOR TERRITORIAL AUTHORITIES

1. PURSUANT to section 10 of the Reserves Act 1977 I, NICK SMITH Minister of Conservation, DELEGATE to all territorial authorities (as defined in this Instrument of Delegation) such of my powers, functions and duties under the Reserves Act 1977 as are set out in the following Schedule subject to the Limitation of Powers in the Schedule and to the conditions in paragraph 2 of this Instrument.
2. The delegations in this Instrument apply only where the territorial authority is the administering body of the relevant reserve (i.e. affected by the decision to be made) by virtue of a vesting or an appointment to control and manage.
3. This Instrument replaces the previous Instrument of Delegation dated 10 March 2004, which is hereby revoked.

Definitions:

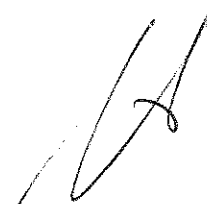
“Administering body” – means an administering body under the Reserves Act 1977.


“Territorial authority” – means a local authority and a unitary authority as defined in section 5 Local Government Act 2002.

“Vested reserve” – means a reserve vested in a territorial authority (not in the Crown).

SCHEDULE


SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
6(3)	Revoke a Gazette notice and issue a fresh notice or amend the original notice		Only applies to notices in the Gazette given by the territorial authority
14(4)	Gazette resolution to declare vested land to be reserve.		
	<u>Note:</u> it is, therefore, no longer necessary to consult the Commissioner in terms of sec 14(3) of the Act.		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
15(1)	Authorise or decline to authorise, by Gazette notice, the exchange of land in any reserve or any part(s) of a reserve for any other land to be held for purposes of that reserve.		Only to be exercised where the territorial authority did not derive title from the Crown, or title would be deemed not to be derived from the Crown if the reserve was going through a revocation process (s.25). The territorial authority must consult with the Crown before making a decision under s.15(1) if the land it proposes to grant in exchange was purchased with funds provided either wholly or partly by the Crown.
15(3)	To do all things necessary to effect any exchange authorised by the local authority under Section 15(1) of the Act, or by the Crown in the case of vested reserves derived from the Crown, including the payment or receipt of any money by way of equality of exchange in the case of non Crown derived reserves.		
16(1)	Classify, by Gazette notice, according to their principal or primary purpose all reserves. [Note this delegation does not affect sections 16(2) and 16(2A) Reserves Act]		
16(4)	To advertise the intention to classify a reserve in accordance with sec 16(1).		
18(2)(e) 19(2)(a) 19(3)(a)	Determine in which cases exceptions can be made to the preservation of flora and fauna and the natural environment.		
24(1)	Change the classification or purpose of a reserve by notice in the Gazette.		Does not apply to the revocation of reserves
24(2)(e)	To consider all objections received to a proposed change of classification or purpose.		
24(3)	To form an opinion that the change of classification or purpose of a scenic, nature or scientific reserve is justified.		

SECTION	SUMMARY OF POWERS	○	LIMITATION OF POWERS
24(5)	To form an opinion that the change in the classification of a historic reserve is justified.		
25(1)	Upon revocation of the reservation of any public reserve (or part of one) pursuant to section 24 Reserves Act, dispose of that land in such manner and for such purpose as the Minister specifies. [Note this is intended to allow Territorial Authorities to decide how and for what purpose the land may be disposed of].		The delegation only applies where the title to the reserve was not derived from the Crown, or is deemed not to be derived from the Crown in terms of s.25(4) or (5).
41(1)	To approve reserve management plans.		
42(1)	Give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Determine terms and conditions subject to which written consent is given.		
44(1)	To consent to the use of a reserve for temporary or permanent personal accommodation.		
44(2)	To consent to any vehicle caravan, tent or removable structure remaining on a reserve during the period 1 November to 31 March.		
45	Give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve.		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
48(1)	<p>Consent or refuse consent to administering body granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1).</p> <p>Impose such conditions as it thinks fit in giving the consent.</p>		
48A(1)	<p>Consent or refuse consent to administering body granting a licence over a vested reserve to any person or department of State -</p> <p>(a) To erect, maintain and use buildings, dwellings, masts and other structures, and plant and machinery; and</p> <p>(b) To construct, maintain, and use tracks and engage in other works</p> <p>- for any of the purposes specified in section 48A(1).</p>		
48A(3)	<p>Approve terms and conditions determined by the administering body.</p>		
49	<p>Grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes.</p> <p>Form opinion as to whether qualified person has the necessary credentials.</p> <p>Impose conditions on the grant in writing.</p>		<p>With regard to fauna, the delegation is for exotic fauna which are not protected under the Wildlife Act 1953.</p>
50(1)	<p>Authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic, historic, nature or scientific reserve.</p> <p>Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.</p>		<p>The delegation is for non-protected exotic fauna only.</p> 

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
51(1)	<p>Authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1).</p> <p>Impose conditions on the giving of the authorisation.</p>		
52(1)	<p>Declare by Gazette notice that any 2 or more reserves, or parts of 2 or more reserves, or parts of one or more reserves and the whole of one or more other reserves, are to be united to form one reserve.</p>		<p>All affected reserves or parts of reserves must have the same administering body and must all either be vested in that body or all held under an appointment to control and manage.</p>
53 (1)(d)	<p>To consent to an increase in the number days the public shall not be entitled to have admission to a reserve.</p>		
53 (1)(e)	<p>To approve the fixing of charges generally or with respect to any specified occasion or event.</p>		
54(1)	<p>Give or decline to give prior consent to administering body, in the case of a recreation reserve vested in it, to grant leases for any of the purposes specified in paragraphs (a), (b), (c) and to grant a lease or licence for any of the purposes specified in paragraph (d) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.54(1)(a), (b), (c) and (d).</p>		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
	<p>Give or decline prior consent to administering body permitting, in a lease, the erection of buildings and structures for sports, games or public recreation not directly associated with outdoor recreation.</p> <p>Consent or decline consent to variations or amendments to leases and consent to the carrying out of any other necessary actions arising out of the leases consistent with the First Schedule, Reserves Act.</p>		
55(2)(a) (d), (e) (f) and (g)	<p>In the case of a scenic reserve to give or decline to give consent to :-</p> <ul style="list-style-type: none"> • the enclosure and grassing or grazing of open parts of the reserve; • the setting apart of areas for other purposes; • the erection of buildings and other structures and amenities; • such things considered necessary for the public to obtain the benefit of the reserve; • the setting apart of sites for residences and other buildings and structures necessary for the management of the reserve. 		<p>Must be satisfied that the facilities, amenities, buildings or structures are necessary and cannot readily be provided outside or in close proximity to the reserve.</p>



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
56(1)	<p>Give or decline prior consent to administering body, in the case of a scenic reserve vested in it, to grant leases or licences for the purposes set out in s.56(1) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.56(1)(a) and (b).</p> <p>Consent or decline consent to variations or amendments to leases and licences, and consent to the carrying out of any other necessary actions arising out of the leases and licences consistent with the First Schedule, Reserves Act.</p>		
56(2)	<p>Give public notice in accordance with section 119 of the Reserves Act and give full consideration in accordance with section 120 to all objections and submissions.</p>		
58(b)	<p>Set apart and use part of a reserve as a site for residences and other buildings.</p>		
58A(1)	<p>Give or decline prior consent to administering body, in the case of an historic reserve vested in it, to grant leases or licences for any of the purposes specified in that subsection.</p> <p>Consent or decline consent to variations or amendments to leases and licences and consent to the carrying out of any other necessary actions arising out of the leases and licences, consistent with the First Schedule, Reserves Act.</p>		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
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59A(1) In accordance with Part IIIB Conservation Act 1987, grant or refuse a concession in respect of any reserve controlled or managed by an administering body under s.28 Reserves Act so that the administering body may apply Part IIIB as if references in that Part to a conservation area were references to such a reserve and references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.

67(1)(b) Consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.


72(1) To enter into and agree the terms of a lease or other agreement for the farming of a recreation or local purpose reserve.

Note sec 72(3) applies.

73(1) Consent or decline prior consent to an administering body granting a lease of recreation reserve in the circumstances specified in s.73(1), where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease in the circumstances specified in section 73(1) in all other cases.

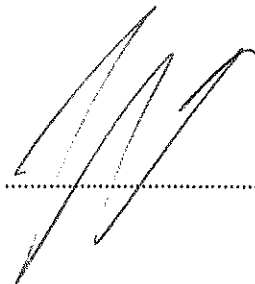
Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(1).



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
73(2)	Consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(2).		
73(3)	Form opinion as to whether recreation reserve is not likely to be used for purposes of a recreation reserve. Consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body. Grant or decline to grant leases of whole or part of a reserve held under an appointment to control and manage. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(3).		Note: The provisions of Part IIIB Conservation Act apply (s.73(3A)(b)) Note: s.73(3A) (a) applies.
73(5)	Consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.		
73(6)	Consent or decline consent to surrender of lease.		Only exercisable where the original approval for the lease was given by the territorial authority under this delegation.
74(1)(b)(ii) (proviso)	Consent or decline consent to granting of a licence to occupy a historic, scenic or scientific reserve.		

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
75(1) and (2)	Consent or decline to consent to the afforestation of a recreation or local purpose reserve.		
121	Where under the provisions of the Reserves Act consent or approval is required, give consent or approval subject to such conditions as are thought fit.		Only exercisable in respect of matters delegated under this Instrument of Delegation.

SIGNED at Wellington this)
)
 12th day of Jul . 2013)
)
 by NICK SMITH)
 Minister of Conservation)



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DELEGATION INSTRUMENT
ACDI2016/472

I, Stephen Town, Chief Executive, Auckland Council, hereby delegate to:

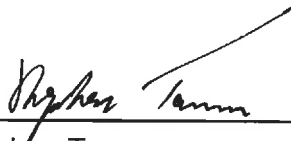
- the Chief Executive of Development Auckland Limited (**Development Auckland**);
- Director of Portfolio Management, Development Auckland;
- Manager Acquisitions and Disposals, Development Auckland;

all of my powers and duties under the Public Works Act 1981 to acquire and dispose of land, and my power to commit the council to financial transactions to acquire or dispose of land (including interests in land), subject to the following conditions:

1. The powers and duties may be exercised only:
 - a. if Development Auckland has been directed **by** the General Manager Community Facilities (Auckland Council) or the **Head of Stakeholder & Land Advisory (Auckland Council)** to do so; and
 - b. if Development Auckland is satisfied that the transaction has been provided for in the Council's Long-Term Plan or that the transaction is appropriately funded.
2. The "General Rules applying to all delegations".

A separate delegation applies to disposals relating to the Auckland transport system. This instrument revokes and replaces my previous delegation of these powers and Duties to Development Auckland, pursuant to instrument ACDI2016/265 dated 18 July 2016.

This delegation shall take effect on the date of signing.



Stephen Town

Chief Executive

AUCKLAND COUNCIL

15.12.16

Date

DELEGATION INSTRUMENT
ACDI2016/471

I, Stephen Town, Chief Executive, Auckland Council, hereby delegate to:

- the Chief Executive of Development Auckland Limited (**Development Auckland**);
- Director of Portfolio Management, Development Auckland;
- Manager Acquisitions and Disposals, Development Auckland;

all of my powers and duties under the Public Works Act 1981 (**PWA**) and the Local Government Act 1974 (**LGA 74**) to dispose of land relating to the Auckland transport system or any transport related purpose, subject to the following conditions:

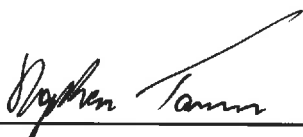
1. The powers to dispose of land not required for a road under the LGA 74 may be exercised where Development Auckland has been advised by the council that the council has received notice from Auckland Transport under section 48(2) of the Local Government (Auckland Council) Act 2009 (**LGACA**) relating to that land: see section 51(1) LGACA.
2. In any other case, the power under the PWA to dispose of land relating to the Auckland transport system or any transport related purpose may be exercised only:
 - a. If Development Auckland has been directed to do so by the General Manager Community Facilities (Auckland Council) or **Head of Stakeholder & Land Advisory (Auckland Council)**; and
 - b. Auckland Transport has agreed to the disposal: see section 51(2) LGACA.

3. The "General Rules applying to all delegations".

A separate delegation applies to disposals relating to the Auckland transport system. This

instrument revokes and replaces my previous delegation of these powers and duties to Development Auckland, pursuant to instrument ACDI2016/264 dated 18 July 2016.

This delegation shall take effect on the date of signing.



Stephen Town

Chief Executive

AUCKLAND COUNCIL

15.12.16

Date

DELEGATION INSTRUMENT – Parking of vehicles off a roadway

Reference number: 2017/336

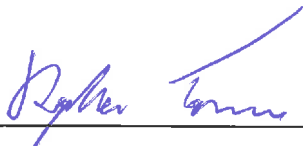
I, Stephen Michael Town, Chief Executive, Auckland Council, hereby delegate to Auckland Transport the responsibilities, duties and powers delegated to me by Auckland Council in relation to the enforcement of clause 11 of the Auckland Council Traffic Bylaw 2015 (parking vehicles off a roadway) as it applies to all roads and parking places under the control of Auckland Council.

This delegation is subject to the following conditions:

- Auckland Transport must exercise all functions, powers and responsibilities in accordance with relevant statutory provisions.
- Auckland Transport will bear all costs associated with exercising this delegated authority, except for the costs of signage in local and regional parks, libraries and community facilities, which will be met by Council.
- Auckland Transport may retain any revenue associated with exercising this delegated authority. However, if a surplus is generated from this activity then Auckland Transport must use the surplus to offset its annual total funding requirement from Auckland Council.
- Auckland Transport must provide a biannual report to the appropriate Council manager in relation to the use of these delegated powers (when requested to do so).

For the avoidance of doubt, this delegation:

- includes any ancillary responsibilities, duties or powers necessary to give effect to this delegation.
- does not oblige Auckland Transport to take any enforcement action.



Stephen Michael Town
Chief Executive
Auckland Council



Date

DELEGATION INSTRUMENT
ACDI2017/335

I, Stephen Town, Chief Executive, Auckland Council, hereby delegate or sub-delegate, as the case may be, to:

- the Chief Executive of Panuku Development Auckland Limited (**Panuku**);
- Director of Portfolio Management, Panuku;

all of my powers and duties under the Public Works Act 1981 (**PWA**) and the powers and duties delegated to me by the Auckland Council (together **the powers and duties**), to acquire and dispose of land while acting within its urban renewal mandate, subject to the conditions below.

This delegation is subject to the following conditions:

1. In this delegation, "urban renewal" means in cases involving acquisition or disposal, where Governing Body or the relevant Council committee and Local Board has endorsed a High Level Project Plan, the location is within the High Level Project Plan area and the acquisition or disposal is in accordance with the High Level Project Plan objectives.

Note: For disposals, the High Level Project Plan must identify the relevant property, or an additional Governing Body or Council committee approval be obtained for it.

2. In all cases and at all times, the delegate exercising the powers and duties is under the control of the Auckland Council through me as its Chief Executive, and is, where relevant, an officer of the Council and/or designated my deputy for those purposes.
3. In all cases, Panuku must be satisfied that the transaction is appropriately funded; and that all statutory processes have been or will be completed.
4. In all cases, the delegate must comply with the "General Rules applying to all delegations".
5. This delegation cannot be sub-delegated.

This delegation shall take effect on the date of signing.



Stephen Town
Chief Executive
Auckland Council

29. 9. 17

Date

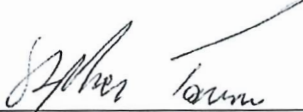
DELEGATION INSTRUMENT

Reference number: 2019/5

I, Stephen Michael Town, Chief Executive, Auckland Council, hereby authorise and delegate or sub-delegate, as the case may be and to the extent that a delegation is required, subject to any statutory limitations, separately to each person who for the time being performs the role of Chief Executive of Panuku Development Auckland Limited (**Panuku**) the authority to enter into the Auckland Film Studio licence agreement, for and on behalf of Auckland Council including any variations to the same, for a period of up to ten (10) years and up to the value of fifty million dollars (\$50 million).

This delegation is subject to the following conditions:

1. To the extent that a delegation is required, in exercising that delegation, the delegate is at all times under the control of Auckland Council, through me as its Chief Executive and is, where relevant, an officer of the Council and/or designated my deputy for those purposes.
2. In exercising this delegated authority, the delegate must comply with any service level agreements between Auckland Council and Panuku.
3. This delegation cannot be sub-delegated.

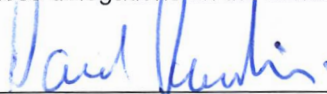


Stephen Michael Town
Chief Executive
Auckland Council

15.11.19

Date

I, David Rankin, Acting Chief Executive of Panuku Development Auckland Limited, hereby accept these delegations on the conditions set out above.



David Rankin
Acting Chief Executive
Panuku Development Auckland Limited

20.11.19

Date