

16. DELEGATIONS

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INTRODUCTION

The purpose of this report is to seek approval of the Council to delegations to Committees, Community Boards and Subcommittees, and also seeks approval for changes to the financial delegations and changes to officer titles in relation to existing delegations.

TERMS OF REFERENCE

The Terms of Reference for the committees were set by the Council at the inaugural meeting and it is these Terms that determine the workload of the committee. These delegations will enable the Committees to make decisions on those matters which come before them out of the Terms of Reference.

COMMUNITY BOARD DELEGATIONS

The proposed delegations to Committees, Community Boards and Subcommittees (both elected member and officer subcommittees) have been separately circulated.

The proposed delegations are generally the same as those approved by the Council in the last term. The greatest change has been in relation to the proposal that Community Boards exercise greater powers on behalf of the Council in accordance with the Terms of Reference for Community Boards approved by the Council at its 7 November 2001 inaugural meeting. One of those Terms of Reference provided for Community Boards:

“Consideration of all matters unless they have significant impact beyond the local area, or on the service level of any non-local road. Such consideration shall be consistent with any policies or standards adopted by the Council.

The determination of whether a matter has significant impact beyond the local area, or on the service level of a non-local road, shall be decided, on behalf of the City Manager, by the Principal Adviser to the relevant Standing Committee, in consultation with the chairperson of the Committee and the relevant Community Board chairperson.

The deputy chairperson of each Committee is to act as a watchdog to ensure that appropriate matters are dealt with by Community Boards and/or by Committees.”

The delegations, and in particular, the Introduction to the Delegations, are intended to implement this type of reference.

So if a matter does not have any significant impact beyond the local area, or on the service level of any non-local road, then it will be dealt with by a Community Board.

If a matter does have a significant impact beyond a local area, or on the service level of a non-local road, then it will be dealt with by the Sustainable Transport and Utilities Committee in respect of roads, or by the Parks, Gardens and Waterways or Leisure and Community Committee in respect of parks. The two areas which are most affected by this change are roads and parks.

The Principal Adviser to the relevant Standing Committee will be the decision-maker in those cases where a judgement is required as to whether or not a particular matter has a significant impact beyond the local area, or on the service level of any non-local road.

It is intended that the Principal Adviser would consult with the chair of the relevant Standing Committee and the chair of the Community Board in those cases where there is doubt as to whether such a significant impact exists. It is anticipated that in the majority of cases there will not be any such doubt and the matter then would simply go directly to the Community Board. If there is doubt, then the Principal Adviser would discuss that with the relevant chairpersons.

One matter that Councillors need to be aware of is that in respect of an area of the Central City, the Hagley/Ferrymead Community Board would not exercise any delegations in respect of roading issues. This carries on a standing practice and it is intended that within that area the Sustainable Transport and Utilities Committee would exercise directly the delegations in respect of roads within that area. A map showing the boundaries of this proposed Central City area, which has been previously used by the Council, is incorporated in the delegations.

Councillors are also reminded that the Local Government Act provides that the Council cannot rescind or amend a decision made under these delegations by a committee or community board.

FINANCIAL DELEGATIONS

Financial delegations to officers were last revised by the Council in 1995. Giving the increasingly detailed framework of the Corporate Plan and the Annual Plan it is considered appropriate to revise some of the officer financial delegations.

At present unit managers have authority to enter into contracts up to \$100,000 for items in the Annual Plan and the Director of Operations, jointly with the City Manager and the Director of Finance, has authority up to \$300,000. It is proposed to increase this \$300,000 authority to \$500,000 with a consequential increase in the delegation for committees and community boards. It is also proposed that the Legal Services Manager be added to the three officers authorised to enter into contracts up to \$500,000.

The Community Boards presently have authority to enter into contracts between \$300,000 and \$500,000. It is proposed that these sums be altered to \$500,000 and \$1M in line with committees.

MISCELLANEOUS

The delegations to the Council Hearings Panel continue the previous practice that any hearings in relation to objections or submissions concerning proposals initiated by the Council, Committees or Community Boards, will be heard by the Council Hearings Panel. In the majority of cases the Council Hearings Panel has the authority to make decisions on behalf of the Council in that quasi judicial role; and in a minority of cases it has a power to recommend to the Council.

Recommendation 3 relates to updating the titles of unit managers authorised to exercise existing delegations.

Recommendation 4 relates to updating titles in the Financial Services Unit regarding existing financial authorities delegated by the Council. The financial authorities are separately circulated.

Where there have been changes in job titles or changes in the responsibilities between job, then it is recommended that the City Manager be authorised to allocate existing Council delegations to new job titles or reallocate delegations to other Council officers. This will avoid the need for reports authorising change in job titles regarding delegations to come before the Council.

- Recommendation:**
1. That the delegations be approved by the Council.
 2. That the 13 December 1995 Council resolution setting officer financial authorities be amended by increasing the sums in paragraph (c) from \$300,000 to \$500,000 and providing that the power can be exercised by any two of the City Manager, the Directors of Finance and Operations and the Legal Services Manager.
 3. That the Council approve the change in title with regard to existing delegations held by unit managers as follows:
 - (a) Parks Manager to be held by the Parks and Waterways Manager;
 - (b) Waste Manager by the City Water and Waste Manager;
 - (c) Leisure and Community Services Manager by the Leisure Unit Manager; and
 - (d) Water Services Manager by the Parks and Waterways Manager.
 4. That the financial authorities be approved by the Council.
 5. That the City Manager be authorised to reallocate delegations to new job positions or to another Council officer where, in his opinion, it is appropriate to do so.

Chair's

Recommendation: That the above recommendation be adopted.