

Delegations Manual

Record of Amendments 2021

Date Amended	Amendment	Clause	Page Reference
29.01.21	Executive Team – role titles changed for the Group Manager: Regulatory and Community Services and Planning Manager	1.1 28.3 28.3.3	3 40 42
29.01.21	Delegations to Staff – role titles changed for the Group Manager: Regulatory and Community Services and Planning Manager.	27.7	32
29.01.21	Delegations to Staff – Community Development Advisor – role moved to Regulatory and Community Services.	27.7	37
29.01.21	Delegations to Staff – Emergency Management Officer – (shared role with West Coast Regional Council) role moved to near Regulatory and Community Services.	27.7	37
29.01.21	Delegations to Staff – Engineer – Water Services renamed to Engineer 3 Waters.	27.7	34
29.01.21	Delegations to Staff – Asset Management Planner (Vacant) and Capital Projects Manager roles were removed from the manual.	27.7	36
29.01.21	Delegations to Staff – new role of Project Manager added.	27.7	35
29.01.21	Delegations to Staff – new role of Asset Manager added.	27.7	35
29.01.21	Delegations to Staff – tidy up of wording for Senior Building Control, Building Control Officers, Quality Officer roles.	27.7	36
29.01.21	Delegations to Staff – Museum Director – new role.	27.7	37
16.04.21	Delegations to Staff – Updates to delegations to Budget Managers as a result of the Change Management Process Outcomes	27.7	31
16.04.21	Change in position title from “Business Analyst” to “Information Manager”.	28.6	49
16.04.21	Update reference from “cheque authority” to “Internet Banking Authority”.	28 28.5	36 47
16.04.21	Include a delegation to the Group Manager: Corporate Services (similar to the Finance Manager delegation).	28.4	49
01.11.21	Delegations to Staff – Update to delegations for the Facilities, Property and Compliance Manager as follows: Compliance - \$5,000 Facilities - \$5,000	27.7	34
05.11.21	Update the Terms of Reference for the Committees as adopted by the Committees and Council.	20	9-26

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1. Introduction

1.1 Glossary

- a) **Executive Team:** The Chief Executive and the four senior Managers comprising of the Group Manager: Corporate Services; Group Manager: District Assets; Group Manager Regulatory and Community Services, Planning Manager, supported by the Executive Assistant.
- b) **Manager:** A member of the Executive Team other than the Chief Executive.
- c) **Activity:** The particular branch of the Council's functions (e.g. water, sewerage, library) as opposed to the particular accounts which comprise that activity.
- d) **Cost Centre Controllers:** Officers nominated by the Executive Team to assume responsibility for particular activities within the Council's functions so as to ensure agreed works are completed and the budget is not overspent.

1.2 The Place of the Delegations Manual

This Delegations Manual has been adopted by the Westland District Council to define methods and means of operations and managerial and administrative relationships. The manual is related to other key documents including Council's Bylaws and other formal expressions of policy.

2. The Philosophy of the Council

- 2.1 The Westland District Council believes that it is essential, in the interests of good management and effective administration, to encourage a delegation of decision making to the lowest competent level. This will achieve best use of the abilities of elected representatives and officers, minimise the cost of material, technical and financial resources, promote the development of effective managers and minimise bureaucratic interference in the daily affairs of the District's residents.
- 2.2 Authority and responsibility are inseparable. Those with responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use. Delegations will not however remove from the Council and top management ultimate accountability for the affairs of this Council.
- 2.3 Delegates should willingly accept authority and responsibility for decision making in the certain knowledge that their decisions, if made in a full, fair and objective manner, will not be reviewed lightly.
- 2.4 It is the statutory function of this Council to lead and guide the good management of the District by determining primary goals and objectives, by setting strategies and policies for their achievement and to encourage their achievement through the considered use of committees and the appointment of a Chief Executive.
- 2.5 Officers in turn implement and administer those policies, contribute substantially to their formulation and provide and manage the infrastructures on which the District is based. Delegation focuses and sharpens this relationship and assists in the better achievement of the respective functions of elected representatives and officers.

- 2.6** A necessary consequence of delegation is the need for clear reporting. The Westland District Council adheres to the concept of exception reporting. This means that when the Council makes a decision; it expects the decision to be implemented without further reporting. Only if the target is not met, i.e. an exception occurs, should further reporting be necessary.
- 2.7** Finally, the level of delegation is symptomatic of the health and well-being of the Council. Without it, the mutual trust and respect which should exist between members of the Council and its officers, and the effectiveness and efficiency of the organisation must be at risk.

3. General and Specific Delegations

- 3.1** In this manual, a general delegation implies the granting of authority to determine a range of matters of a similar kind as and when they arise over a period of time without further reference to the delegator.
- 3.2** From time to time, the Council may delegate authority to determine a specific issue and this authority will exist only so long as that matter is unresolved and will then lapse. This is a specific delegation.
- 3.3** This manual will be revised for general delegations as they are granted, but not those of a specific nature, which will be largely historical by the time they are recorded.

4. The Meaning of Delegation

- 4.1** Delegation in the manual means the assignment of a duty or power of action to another together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.
- 4.2** A power merely to hear evidence or consider a proposal is not delegation and is not therefore generally included in this manual. It is assumed that all committees, subcommittees and officers have authority to hear any matter within their jurisdiction and submit a report or recommendation to a higher authority unless that is prohibited by law.

5. What May Be Delegated

- 5.1** In almost all situations the Council itself is a delegatee, in that its functions, powers and duties derive from Parliament through empowering legislation under which legislative, judicial and administrative authority is granted to the Council for specific purposes.
- 5.2** The limits under which functions, power and duties may be further delegated are strictly interpreted in accordance with the empowering legislation concerned, although rules in these matters are generally well settled.
- 5.3** Parliament has shown awareness that, in the interests of the effective and efficient management of a district, delegation (of other than legislative powers) is permitted subject only to specific exceptions. Special additional common law rules apply also, particularly to the delegation of legislative powers.
- 5.4** In this environment, the Council has a wide discretion to arrange its own administration in a way which provides efficiency, flexibility and responsiveness to local needs. In doing so it must, however, comply with the special requirements imposed by law in given circumstances.

6. The Characteristics of Delegation

It is important to understand the following characteristics of delegation:

- 6.1** The delegator does not lose the function, power or duty by delegation and may exercise this concurrently with the delegatee;
- 6.2** It is implicit that a delegation may be revoked at any time without notice;
- 6.3** The delegatee is acting in their own name on behalf of the Council when exercising delegated authority;
- 6.4** If a delegatee's decision is invalid it cannot be ratified by the delegator. The correct action is generally for the matter to be considered in full again by the delegator, assuming it is within the delegator's power to determine the matter at issue;
- 6.5** The laws relating to Local Government generally recognise that the decisions of a delegatee may be reviewed or appealed to the delegator who may confirm, vary, override or substitute a decision, although there are some exceptions. In such cases the grounds for the review should be clearly stated and a decision varied only when compelling circumstances arise.

A local authority may not rescind or amend a decision made by the committee pursuant to a delegation authorising the making of the decision (Schedule 7, Section 30 (6) of the Local Government Act 2002).

7. Care in Defining Authority

- 7.1** The law recognises, in certain circumstances, the right of individuals acting in good faith in reliance on the apparent authority of a delegatee to enforce a decision of a delegatee, whether or not the delegatee in fact had the authority claimed.
- 7.2** Accuracy and precision should always be a feature when defining the scope and limitations of any delegated authority in order to protect the interests of the Council, the delegatee and any interested third party.

8. Statutory Authority

- 8.1** The delegations contained in this manual are made in accordance with the Local Government Act 2002 and any other statutory authority permitting delegation.
- 8.2** In accordance with Section 42(3)(a) of the Local Government Act 2002, the Council shall maintain a clear separation between regulatory and service delivery functions. The management structure shall also reflect this separation. The delegations to both committees and staff have been drafted to coincide with this separation.

9. Delegations to be in Writing

Every delegation under this manual shall be in writing and shall define with reasonable precision the nature, purpose and bounds of a given delegation.

10. Extent of Delegation

Subject to any specified limitation, term or condition applied by the delegator or by law a delegatee may exercise the power or authority delegated in the same manner and to the same effect as could the delegator.

11. Subdelegation

11.1 Every committee, the Chief Executive and each manager may further delegate any power granted to them in this manual or otherwise by the Council either generally or specifically, and may impose any term or condition upon that subdelegation.

11.2 Subcommittees and officers below the level stated may not subdelegate a power of decision but may instruct an officer or person to carry out investigations and make recommendations.

11.3 Within 1 month of the manual being adopted by the Council each manager shall determine the delegations which they wish to make under this clause and shall supply a statement of these to the Chief Executive for inclusion as a schedule in the manual. Additional delegations may be made at this time in which case a statement of that delegation or delegations shall be supplied to the Chief Executive within 1 month of them being made.

12. Reporting Decisions

A delegatee need not generally report decisions to the delegator except:

12.1 All contracts accepted under delegated authority are to be reported by the delegatee (in this case either a manager, the Executive Team or a standing committee) to the next higher level of authority (the Executive Team, standing committee or Council) at the earliest opportunity.

12.2 Other decisions are to be reported on as specifically provided for.

13. Term of Delegation

Unless any delegation is expressed to be for a definable term it shall continue until revoked by the delegator or the Council, or withdrawn in any way by operation of law.

14. Variation of Decision

- 14.1** The Council and any delegator may review, reserve or vary any decision of a delegatee at any time except to the extent that the decision has already become binding on the delegator by operations of law and cannot be reversed.
- 14.2** A reversal or variation of a decision is not of itself a revocation of a delegation under this manual.
- 14.3** A decision of a delegatee shall only be reserved or varied where:
- a) it is manifestly wrong; or
 - b) it is contrary to a decision of the delegator of which the delegatee was unaware; or
 - c) it contains serious implications for the Council of which the delegatee was unaware; or
 - d) there is other good cause to reserve or vary that decision.

15. Concurrent Jurisdiction

Nothing in this manual shall limit the power of the Council or a delegator to exercise a function, duty or power concurrently with or in substitution for a delegatee.

16. Policy and Delegated Decision Making

- 16.1** In reaching a decision under delegated authority full regard must be had to both:
- a) any Council policy applying to an issue; and
 - b) all relevant facts applying to the case.
- 16.2** Should any delegatee, having considered all the facts of the case, be unable to make a decision which complies with Council policy on any matter, the correct action is then to refer the matter to the Council if a decision cannot be made in compliance with any policy applying to the decision to be made.

17. Delegation to Office

- 17.1** Unless a contrary intention is indicated, every delegation shall be to a stated office or position and not to an individual or the membership of a group in their personal capacities. In every case of this type the delegation shall survive any change in the occupiers of any such office.
- 17.2** Delegation to the Executive Team shall be exercised by a majority vote. Dissenting votes are to be recorded and all exercises of this delegated power shall be recorded in the proceedings of the Executive Team. The acceptance of tenders by the Executive Team shall be subject to the approval of the manager of the department concerned. If the department manager does not approve, the matter will be referred to the appropriate standing committee.

18. Appeals

18.1 Any person affected by any decision of a delegatee may appeal that decision:

- a) in the case of a decision by an officer, to the Chief Executive in consultation with the appropriate department manager, as the case may be; and
- b) in the case of a decision made by the Chief Executive, a committee or subcommittee, to the Council; and
- c) in the case of a decision made pursuant to the Resource Management Act 1991, in accordance with Section 357.

18.2 In reviewing any decision on appeal under this clause the Chief Executive or the Council shall have regard to:

- a) any reason given by the delegatee in making a decision; and
- b) any Council policy applying to the matter at issue; and
- c) the facts of the case; and
- d) the grounds for review of a decision contained in clause 14 of this manual; and
- e) any other relevant matter.

19. Amendments to this Manual

This manual shall be maintained by the Executive Assistant who shall amend it in accordance with:

- a) any instructions to that effect given by the Council and any delegatee authorised to amend this manual; or
- b) any need for typographical, grammatical or other minor amendment where the intention of the Council in the matter of a delegation is not altered.

20. Standing Committees/Other Committees

The Council has five Standing Committees:

- Audit and Risk Committee
- Capital Projects and Tenders Committee
- Planning Committee
- Community Development Committee
- Chief Executive's Review Committee

Committees set the quorums for their subcommittees by resolution provided that it is not less than two members.

The Council has two Subcommittees and a number of Working Groups:

- Cycling and Walking Subcommittee
- Hokitika Waste Water Treatment Plant Project Oversight Subcommittee

In the case of subcommittees, the quorum will be two members unless otherwise stated.

20.1 Audit and Risk Committee – Terms of Reference

Purpose

To assist the Council to discharge its responsibilities for:

- Monitoring the Council's external and internal audit process
- Recommend to Council an appropriate risk management strategy and monitor the effectiveness of that strategy
- Ensure the independence and effectiveness of Council's Internal Audit processes
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities
- Provide a communication link between management, Internal auditors/external auditors and Council
- Support measures to improve internal controls

Responsibilities

External Audit

- Engage with Council's external auditors regarding the external audit work programme and agree the terms and arrangements of the external audit
- Recommend to Council the terms and arrangements for the external audit programme
- Review of effectiveness of the annual audit and Long Term Plan audit
- Monitor management's response to audit reports and the extent to which external audit recommendations concerning internal accounting controls and other matters are implemented

Internal Control

- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities. This also includes a reviewing/monitoring role of the documentation of policies and procedures
- In conjunction with the CE be satisfied with the existence and quality of cost-effective internal control and risk management systems, the proper application of processes, and agree the scope of the annual internal audit work programme
- Monitor the delivery of the internal audit work programme
- Review the annual internal audit plans and assess whether resources available to internal audit are adequate to implement the plans, and
- Assess whether all significant recommendations of the internal audit have been properly implemented by management. ‘
- Oversee health and safety requirements.
- Review policies.
- Monitor insurance policies.

Other Matters

- Review the effectiveness of the risk assessment/management policies and processes
- Review the effectiveness of the control environment established by management including computerised information systems controls and security. This also includes a review/monitoring role of the documentation of policies and procedures.
- Review the process of the development of the financial strategy as required by the Long Term Plan. Monitor Council’s treasury activities to ensure that it remains within policy limits, where there are good reasons to exceed policy, that this be recommended to Council; and
- Engage with internal and external auditors on any specific one-off audit assignments
- The Audit and Risk Committee will also periodically review its own effectiveness and report the results of that review to the Council.

Delegated Authority

- The Audit and Risk Committee shall have delegated authority to approve the appointment of the internal auditor, risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions, and additional services provided by the external auditor.
- The audit and risk committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and where appropriate, recommend action (s) to Council.

The Audit and Risk Committee can recommend to Council

- Adoption, or non-adoption of completed financial and non-financial performance statements
- Governance policies associated with Councils financial, accounting, risk management, compliance and ethics programmes, and internal control functions
- Accounting treatments, changes in generally accepted accounting practice
- New accounting and reporting requirements

Power to delegate

The Audit and Risk Committee may not delegate any of its responsibilities, duties or powers.

Committee Meetings, records and reporting structure

- The committee will meet at least quarterly in each financial year.
- One meeting must consider the draft annual report prior to adoption of the annual report by Council
- Minutes of the committee be presented to the Council for its consideration
- Report to the Council at least twice a year on the effectiveness of internal controls, risk management and financial reporting, noting any recommendations for improvement.
- The committee will be attended by a representative of External Audit for one meeting each year

Role of Chair

The role of Chair is key to achieving committee effectiveness, to achieve this;

- The chair should meet with the GMCS before each meeting to discuss and agree the business for the meeting.
- The Chair should take ownership of, and have final say in, the decisions about what business will be pursued at any particular meeting.
- The Chair should ensure that after each meeting appropriate reports (minutes) are prepared from the Audit and Risk Committee to the Council.
- Encourage good, open relationships between the Audit and Risk Committee, CE, GMCS and internal and external auditors.

Committee Membership

- Independent Chair
- His Worship the Mayor
- Deputy Mayor Carruthers
- Councillor Hart
- Councillor Neale
- Kw Madgwick
- Kw Tumahai

The Committee Chair will usually be the spokesperson on matters of public interest within the committee's scope of work. Some issues may be of such public interest that it is more appropriate for the Mayor to be the spokesperson. On technical matters or where the status is still at the staff proposal level, senior staff may be the appropriate spokesperson. Where necessary and practical the Mayor, Committee Chair and senior staff will confer to determine the most appropriate course of action for advising the public.

The Committee shall record minutes of all its proceedings.

20.2 Capital Projects and Tenders Committee – Terms of Reference

Purpose

The purpose of the Capital Projects & Tenders Committee is to ensure that all major capital expenditure (as defined in the WDC Tender Policy) is supported by a quality proposal, advances the Council's strategic objectives and is financially sustainable.

In addition, the Committee is to ensure tender evaluations are robust and appropriate decisions taken to advance capital projects.

Responsibility

The Capital Projects and Tenders Committee is responsible for considering all capital expenditure proposals within the Long Term Plan, with a particular focus on:

- The contribution each proposal would be to achieve the Strategic Plan objectives
- Financial sustainability of each proposal
- Ensuring the prioritisation of projects reflects the community needs
- Approving project tenders post tender evaluation

In connection with each Project, the Committee shall receive regular reports from management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion
- Major project milestones, including variance analysis and mitigation strategies
- Key issues or disputes and proposed mitigation strategies
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures
- Assist with bridging project barriers outside the influence of staff

Report to the full Council on a regular basis concerning all large Capital Project updates as required.

Delegations to the Committee:

The Capital Projects and Tenders Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the committee will operate within:

- Policies, plans, standards or guidelines that have been established and approved by Council;
- The overall priorities of Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.
- The power to establish sub-committees.
- Review risk profiles for projects.

The Capital Projects and Tenders Committee shall have delegated authority to:

- Power to co-opt other members as appropriate
- All powers necessary to perform the Committee's responsibilities Except:
 - Powers that the Council cannot legally delegate or has retained for itself
 - Where the Committee's responsibility is limited to making a recommendation only
 - The approval of significant expenditure not contained within approved budgets (excluding emergency expenditure or for Health & Safety issues)
 - The approval of final policy
 - Deciding significant matters for which there is high public interest and which are controversial
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

Power to Delegate

The Capital Projects and Tenders Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Capital Projects and Tenders Committee will comprise the following, one of which will be the chairperson:

Deputy Mayor Carruthers (Chairperson)
His Worship the Mayor (ex-Officio)
Cr Davidson
Cr Hart
Cr Hartshorne
Kw Madgwick
Kw Tumahai

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Frequency of Meetings

The Committee shall meet as and when required.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

20.3 Planning Committee – Terms of Reference

Purpose

To undertake functions as requested or delegated by Council from time to time provided the functions conform to the Local Government Act 2002.

Responsibility

The Committee shall have the responsibility for the oversight of all matters relating to Council's planning functions and the development of policies and strategies in relation to those functions.

The matters within this committee's responsibilities include (but are not limited to):

- Resource Management Act 1991
- Westland District Plan.
- Reserves Act 1977
- Parks and Reserves Management
- Hokitika CBD Revitalisation
- Master Planning activities

Other planning matters including:

- Responsibility for all matters related to the District's environment, including the environment of neighbouring districts and water bodies
- Other Planning matters not otherwise defined.

Delegations to the Committee:

The Planning Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

- Authority to exercise all of Council powers, functions and authorities, except where delegation is prohibited by law or the matter is delegated to another committee of Council, in relation to all planning matters.
- Responsibility to develop policies

- Except where otherwise provided by law, authority to fix fees and charges in relation to all planning activities.
- Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the District's environment or the wellbeing of residents including such matters as adjacent local authorities, district plans, regional plans, any regional or national policy statement and national environmental standards.

Membership

The Planning Committee will comprise the following, one of which will be the chairperson:

- Cr Martin (Chair)
- His Worship the Mayor
- Cr Davidson
- Cr Hartshorne
- Cr Kennedy
- Cr Keogan
- Cr Neale
- Kw Madgwick
- Kw Tumahai
- Heritage and cultural representation from the Westland District
- Community representation from the Southern, Northern and Hokitika Wards.

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central

government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

20.4 Community Development Committee – Terms of Reference

Purpose:

To assist the Council with the development of community services which contribute to the character, culture, and identity of the Westland District, and to pursue an active community role in active partnership with local communities.

The Community Services Committee covers a wide range of issues, altogether ensuring Westland is a vibrant, inclusive and safe district to live for all people, all ages and abilities.

Responsibilities:

The focus of the Community Services Committee is matters relating to social, cultural and community well-being.

The Committee:

- Promotes active citizenship, community participation and community partnerships
- Seeks to address cultural, social, and economic disadvantage and promote equity for all people residing in Westland
- Work alongside Te Runanga o Ngāti Waewae and Te Rūnanga Makaawhio
- Works in partnership with key agencies, organisations, communities of place, identity and interest
- Is innovative and creative in ways it contributes to social and community wellbeing

The Community Development Committee considers and reports to council on issues and activities relating to:

- Community organisations
- Culture and Heritage
- Youth
- Public Health
- Safe Community

- Local and Community events, programmes and activities
- Community Development and support, including grants
- Community engagement and participation
- Communities of place, identity and interest
- Creative Communities

Delegations to the Committee:

The Community Development Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers.

In exercising the delegated powers, the committee will operate within:

- policies, plans, standards or guidelines that have been established and approved by Council;
- the overall priorities of Council;
- the needs of Iwi and the local communities; and
- the approved budgets for the activity.

The Community Development Committee shall have delegated authority to:

- Power to co-opt other members as appropriate
- All powers necessary to perform the Committee's responsibilities, except:
 - Powers that the Council cannot legally delegate or has retained for itself;
 - Where the Committee's responsibility is limited to making a recommendation only
 - Approval of expenditure
 - Deciding significant matters for which there is high public interest and which are controversial;
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council;
 - Power to establish subcommittees

Limitations:

In respect of matters requiring financial input the Community Development Committee's power is limited to the extent that provision has been made in the annual budgets and in the Long Term Plan.

Membership

The Community Development Committee will comprise the following, one of which will be the chairperson:

- Cr Martin (Chair)
- His Worship the Mayor (ex-officio)
- Cr Davidson
- Cr Kennedy
- Cr Keogan
- Cr Neale
- Kw Madgwick
- Kw Tumahai
- Community Representation

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

20.5 Chief Executive's Review Committee – Terms of Reference

Role of the Chief Executive's Review Committee

Council employs the Chief Executive, who in turn employs and manages Council staff. Council therefore has a responsibility to set and monitor the performance of the Chief Executive.

Membership

The Chief Executive Review Committee will comprise of His Worship the Mayor, the Deputy Mayor and the Chair of the Planning & Regulatory Committee (The Mayor is designated as the chairperson).

Quorum - Committee

The quorum at a meeting of the Chief Executive's Review Committee is 3 members.

Frequency of Meetings

The Chief Executive's Review Committee shall meet at least twice per year, but may convene more frequently as required.

Committees Responsibilities

The Committees responsibilities are described below:

Performance of the Chief Executive

- Review the chief executive's performance as required in the employment agreement between the Council and chief executive.
- Annually consider the CE remuneration.
- Supervise any recruitment and selection process for a chief executive.
- Consider any issues regarding the employment of the chief executive.
- The Committee may procure independent specialist advice to the value of \$25,000 per annum in accordance with Councils procurement policy and processes.

Delegations of the Committee:

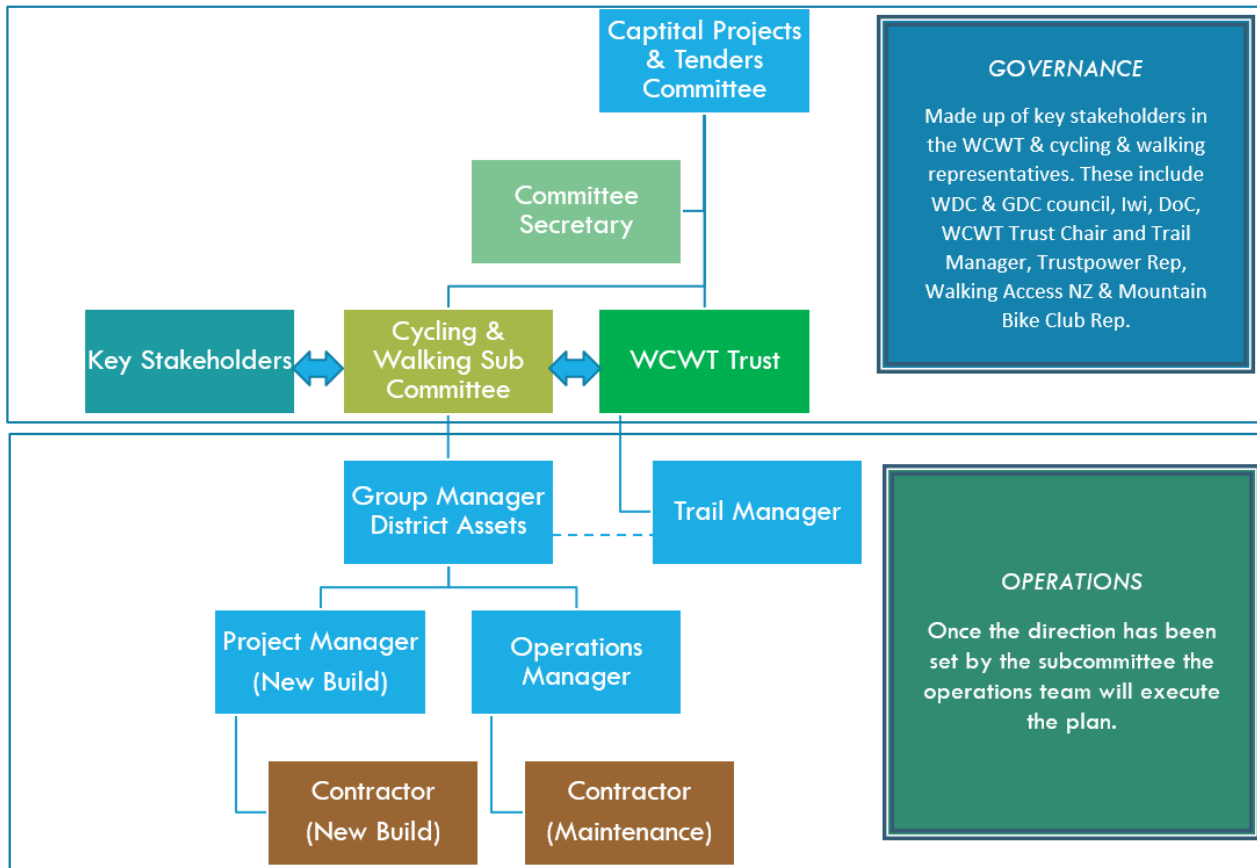
- Approving the employment agreement between the local authority and the chief executive and setting key performance indicators in a performance agreement.
- Working with the chief executive on the implementation of the performance agreement.
- Conducting any performance reviews required by the performance agreement.
- Making decisions about the remuneration of the chief executive.
- Conducting any statutory performance reviews under clauses 34 and 35 of Schedule 7 of the Act.
- Deciding any other issues that may arise in the relation to the employment or performance of the chief executive.
- Fulfilling the local authority's contractual obligations to the chief executive.
- Disciplinary or performance issues that may need to be addresses/investigated relating to the chief executive.

20.6 Cycling and Walking Subcommittee – Terms of Reference

Purpose

The purpose of the Cycling & Walking Subcommittee is to oversee the Governance of the West Coast Wilderness Trail and guide future strategy in decision making in regards to cycling and walking.

Walking & Cycling Governance Structure



Responsibility

The Cycling & Walking Subcommittee is responsible for the following:

- Defining the overall Strategic Plan for the West Coast Wilderness Trail (WCWT);
- Ownership of the development and maintenance of the Cycling & Walking Asset Management Plan;
- Defining the priority projects with the Cycling & Walking Asset Management Plan;
- Reviewing and defining financial sustainability of each proposal;
- Ensuring the prioritisation of projects reflects the community/user needs;
- Supports the NZ Cycle Trail Nga Haerenga network program and strategy and meet the criteria set by Major Great Rides NZ;
- Working closely with all key stakeholders of the WCWT & other stakeholder organisations;
- Supporting Funding applications as applicable.
- Assist with bridging project barriers outside the influence of staff

In connection with each Project, the Subcommittee shall receive regular reports from management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion
- Major project milestones, including variance analysis and mitigation strategies
- Key issues or disputes and proposed mitigation strategies
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures

Report to the Capital Projects and Tenders Committee on a regular basis to provide updates as required.

Delegations to the Committee:

The Cycling & Walking Subcommittee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Subcommittee will operate within:

- Policies, plans, standards or guidelines that have been established and approved by Council;
- The overall priorities of Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Cycling & Walking Subcommittee shall have delegated authority to:

- Co-opt other members as appropriate.
- Provide the powers necessary to perform the Subcommittee's responsibilities except:
 - Powers that the Council cannot legally delegate or has retained for itself
 - Where the Committee's responsibility is limited to making a recommendation only.
 - Deciding significant matters for which there is high public interest and which are controversial.
 - Commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

Power to Delegate

The Cycling & Walking Subcommittee may not delegate any of its responsibilities, duties or powers.

Membership

The Cycling & Walking Subcommittee will comprise the following, one of which will be the chairperson:

- Chairperson (WDC appointed representative and appointed by the Chair of the Capital Projects and Tenders Committee)
- Iwi Representatives
- Ex-Officio – Mayor
- Grey District Council Representative
- Chair - West Coast Wilderness Trail Trust
- Trail Manager - West Coast Wilderness Trail Trust
- Trustpower Representative
- Department of Conservation – Hokitika Operations Manager (or representative)
- Walking Access NZ District Representative
- Mountain Bike Club Representative

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Subcommittee;
- Setting the agenda for Subcommittee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Subcommittee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Subcommittee and Council staff.

The Chair appointment will be reviewed and appointed following the selection of Councillors at each new Triennium.

Quorum

The quorum at any meeting of the Subcommittee shall be the Chairperson and any two members.

Frequency of Meetings

The Committee shall meet as required but not less than quarterly.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Subcommittee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive, staff in attendance, and all other parties other than Council Representatives to leave the meeting for the duration of the discussion concerning a member of staff. The Chairperson will provide minutes for that part of the meeting.

The Subcommittee acknowledges that Waka Kotahi (NZTA) are a major stakeholder in the outcomes of the WCWT and plays an important part in aspects of the trail that impact on NZTA assets and rider safety. Whilst they do not form part of the membership of the Subcommittee, they will be consulted on any relevant aspect of the Subcommittee work.

The Subcommittee also recognises the role the Ministry of Business, Innovation and Employment (MBIE) plays in their role with Major Great Rides. Not only are they a provider of funding but also ensure the overall performance and health of the trail is maintained and where possible improved. The Subcommittee will seek support for the strategy and direction of the trail through MBIE on a regular basis or as stipulated in formal agreements.

Contacts with Media and Outside Agencies

The Subcommittee Chairperson is the authorised spokesperson for the Subcommittee in all matters where the Committee has authority or a particular interest.

Subcommittee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Subcommittee's delegations.

The Chief Executive will manage the formal communications between the Subcommittee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Subcommittee must be held in accordance with Standing Orders.

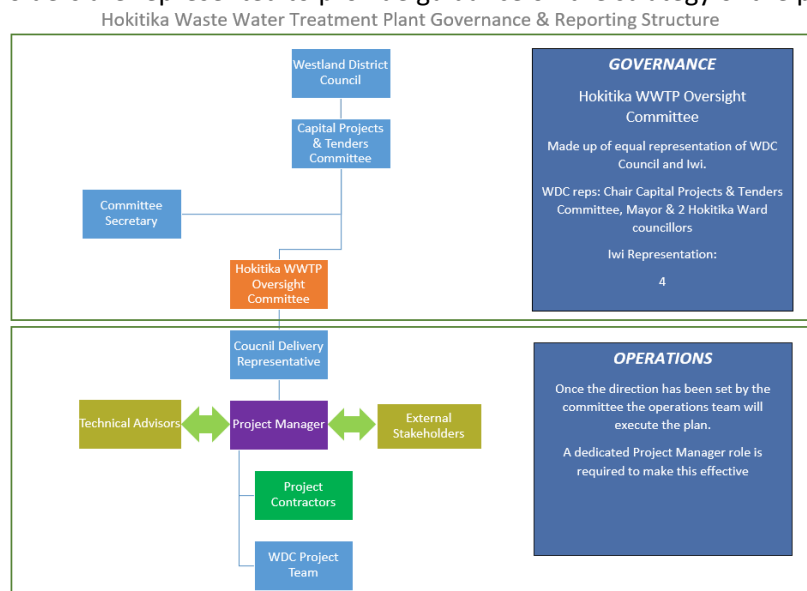
The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Subcommittee shall record minutes of all its proceedings.

20.7 Hokitika Waste Water Treatment Plant (WWTP) Project Oversight Subcommittee

Purpose

The purpose of the Hokitika Waste Water Treatment Plant (WWTP) Project Oversight Subcommittee is to oversee the Governance of the Hokitika Waste Water Treatment Plant Project. This Subcommittee honours the MOU between Westland District Council (EDC) and Poutini Ngāi (Kāi) Tahu in an equal partnership to support significant issues and projects within the WDC boundary. The makeup of the Subcommittee represents an equal partnership to ensure stakeholders are represented to provide guidance on the strategy of the project.



Responsibility

The Hokitika WWTP Project Oversight Subcommittee is responsible for the following:

- Defining the overall objectives and values of the Hokitika WWTP project.
- The contribution each proposal would have towards achieving the objectives.
- Financial sustainability of each proposal.
- Ensuring the prioritisation of projects reflects community needs.

- **Working closely with all key stakeholders of the project.**

In connection with the project, the Subcommittee shall receive regular reports from project management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion.
- Major project milestones, including variance analysis and mitigation strategies.
- Key issues or disputes and proposed mitigation strategies.
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures.
- Assist with bridging project barriers outside the influence of staff.

Report to the Capital Projects and Tenders Committee via the Council delivery representative on a regular basis to provide updates as required.

Delegations to the Subcommittee:

The Hokitika WWTP Project Oversight Subcommittee will have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Subcommittee will operate within:

- Policies, plans, standards or guidelines that have been established and approved by Council;
- The overall priorities of Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Hokitika WWTP Project Oversight Subcommittee will have delegated authority to:

- Define the overall objectives and values of the Hokitika WWTP project.
- Power to co-opt technical advice as appropriate.
- All powers necessary to perform the Subcommittee's responsibilities except:
 - Powers that the Council cannot legally delegate or has retained for itself.
 - Where the Subcommittee's responsibility is limited to making a recommendation only.
 - Deciding significant matters for which there is high public interest and which are controversial.
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

Power to Delegate

The Hokitika WWTP Project Oversight Subcommittee may not delegate any of its responsibilities, duties or powers.

Membership

The Hokitika WWTP Project Oversight Subcommittee will comprise the following, one of which will be the chairperson:

- Chairperson (Chair of the Capital Projects and Tenders Committee)
- Ex-Officio – Mayor
- Iwi Representatives x 4
- Hokitika Ward District Council Representative x 2

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Oversight Subcommittee;
- Setting the agenda for Oversight Subcommittee meetings in conjunction with the Chief Executive; and
- Ensuring that all members of the Oversight Subcommittee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Oversight Subcommittee and Council staff.

The Chair appointment will be reviewed and appointed following the selection of Councillors at each new Triennium.

Remuneration

Remuneration for iwi representatives will be \$250.00 per meeting and be funded by Westland District Council. A Koha will also be offered for utilisation of the Arahura Marae (when hosting).

Quorum

The quorum at any meeting of the Oversight Subcommittee shall be the Chairperson and any two members, one of which must be an Iwi Representative.

Frequency of Meetings

The Oversight Subcommittee shall meet as required but not less than quarterly. Every alternative meeting will be hosted by Arahura Marae.

Relationships with Other Parties

- The Chief Executive is responsible for servicing and providing support to the Subcommittee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.
- The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.
- The Oversight Subcommittee acknowledges that there are a number of external stakeholders interested in the outcome of the project and whilst they do not form part of the membership of the Oversight Subcommittee they will be consulted on any aspect of the Subcommittee's work that they will be impacted by.

Contacts with Media and Outside Agencies

- The Oversight Subcommittee Chairperson is the authorised spokesperson for the Oversight Subcommittee in all matters where the Oversight Subcommittee has authority or a particular interest.
- Oversight Subcommittee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Oversight Subcommittee's delegations.
- The Chief Executive will manage the formal communications between the Oversight Subcommittee and its constituents and for the Oversight Subcommittee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Oversight Subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Oversight Subcommittee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Oversight Subcommittee shall record minutes of all its proceedings.

21. Hearings Commissioners

Accredited Resource Management Hearing Advisors	Membership
Commissioners appointed to sit with independent Commissioners in Resource Management Hearings (note: this accreditation allows the commissioner to attend a panel for decision making but does not qualify the commissioner to act as an independent commissioner until at least two hearings have been attended and further training is undertaken.	Cr Martin

22. Items that cannot be delegated

- 22.1 Councils have broad powers of delegation however there are some decisions that can only be exercised by the full governing body and cannot be delegated, these include:
- a) the power to make a rate
 - b) the power to make a bylaw (although local boards have the right to recommend these for their local areas)
 - c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan
 - d) the power to adopt a long term plan, annual plan, or annual report
 - e) the power to appoint a chief executive (cl. 32 of Schedule 7 of the LGA 2002)
 - f) The power to adopt policies required to be adopted and consulted on under this Act in association with the long term plan or developed for the purpose of the local governance statement; or
 - g) The power to adopt a remuneration and employment policy.

22.2 No officer may exercise the powers listed in clauses 22.1 (a) - (g) above.

23. Subcommittees

23.1 A subcommittee shall exercise only such delegated authority as is granted to it from time to time by the Council or the relevant head committee.

23.2 The primary purposes of subcommittees are:

- a) to dispose of matters which have been delegated to it; and
- b) to investigate and report, with recommendations if appropriate, on matters referred from the head committee; and
- c) to act as a forum for communication between elected representatives, officers, and interested parties.

24. Jurisdiction of the Accredited Resource Management Hearings Advisors.

24.1 The following is delegated to Council's appointed Resource Management Commissioner(s), who must be accredited under Section 39A and Section 39B of the Resource Management Act 1991.

- (a) To act as Commissioner pursuant to Section 34A(1) of the Resource Management Act 1991 for the purposes of hearing any resource consent application and making decisions on that application, including objections;
- (b) To act as Commissioner pursuant to Section 34A(1) of the Resource Management Act 1991 for the purposes of conducting hearings on a District Plan or District Plan change and making decisions under Part 1, Schedule 1 of the Resource Management Act 1991 ; and
- (c) To appoint a mediator pursuant to Section 99A of the Resource Management Act 1991.

Provided that all such decisions shall be reported back to the next meeting of the Council.

Guideline: *The full Council appoints and delegates authority to a list of Commissioners, usually near the beginning of a triennium. This may be all persons accredited under the Ministry for the Environment's "Making Good Decisions" programme, or a subset thereof. This list can include any accredited Councillors or independent Commissioners.*

Guideline: *In selecting Commissioner(s) from the approved list referred to in Clause 29.1 above for any particular matter, regard shall be had for community of interest, expertise, conflict of interest and accreditation pursuant to section 39A of the Resource Management Act 1991.*

Guideline: *Newly accredited commissioners will be expected to undertake at least two hearings as a panel member before being considered as an independent commissioner.*

Guideline: *The Controller and Auditor-General has produced guidelines for elected members on conflict of interest. Pecuniary and non-pecuniary conflicts are identified and discussed. Pecuniary interests are generally able to be readily identified. Non-pecuniary interests involve bias, predetermination and relationships with other persons and organizations. Such interests involve judgment and degree and need to be approached by elected members with caution. It is appropriate in the case of a significant decision making authority being delegated to an individual that the Hearings Commissioner or any person acting for or assisting the Hearings Commissioner, exercises a greater degree of caution."*

Commissioner Accreditation	Name of Commissioner	Accreditation Date
Making Good Decisions Panel Recertification Programme	Cr Martin	6 th December 2019

25. District Licensing Committee

25.1 The following is delegated to the District Licensing Committee

- a) To hear all matters relating to the functions, duties and responsibilities of a District Licensing Committee as provided for in the Sale and Supply of Alcohol Act 2012.

Guideline: *The Sale and Supply of Alcohol Act 2012 allows the Committee chairperson to decide certain matters (such as unopposed applications) without a hearing.*

Guideline: *The Council appoints the District Licensing Committee(s) for a five-year period, and members need not be Councillors.*

26. Elected Members' Expenses

Elected members' expenses are to be approved consistent with the Remuneration Authority rules and Council's Sensitive Expenditure Policy.

Mayor

26.1 Approval of Councillors expenses.

Deputy Mayor

26.2 Approval of the Mayor's expenses.

PART IV – DELEGATION TO STAFF

27. Staff: Contractual Authority and Financial Management of Activities

- 27.1** The contractual authorities for staff are set down in the charts following. Where staff are not included in the charts they have no authority to enter into contract/commitments on behalf of the Council. The amounts stated are all maximums.
- 27.2** Members of the Executive Team have the right (within the terms of their contractual authority) to enter into contracts for the expenditure of funds within activities for which their subordinates also have authority, and will be held accountable for the activities which they control. Managers should always consult with the designated cost centre controller prior to expending funds in accounts other than those for which they themselves are directly responsible.
- 27.3** Where a cost centre controller is aware that an activity is about to be or has been overspent, they should report that fact to the person to whom they are responsible as soon as practicable.
- 27.4** The criterion to be used in assessing managerial financial performance will be whether or not the total budget for the department is adhered to. Variations on activity budgets within departments may therefore emerge but must be reported to the appropriate committee.
- 27.5** No oral contract shall be made for a sum exceeding \$1,000 (see Section 3 Public Bodies Contracts Act).
- 27.6** All commitments entered into under the contractual authorities set out in the following charts shall be reported to the next highest level of authority at the earliest opportunity.

27.7 Delegations to Staff – Contractual Authority and Activity Management

Staff Member	Item	Amount
EXECUTIVE TEAM <i>(Acting Together)</i>	Contractual Authority for capital expenditure provided for in estimates.	\$250,000 per item
	Contractual Authority for emergency expenditure not provided for in estimates.	\$250,000 per item
	Contractual Authority of non-capital expenditure provided for in estimates.	\$250,000 per item
	Contractual Authority for purchase of plant items provided for in estimates.	\$100,000 per item
	Disposal authority for plant items provided for in estimates.	\$100,000 per item
	Disposal authority for assets and goods (except Real Estate).	\$50,000 per item
	Activities to which contractual authority applies. Activities for which the officer is the Financial Manager.	All activities N/A
OFFICE OF THE CE Chief Executive	Contractual Authority for emergency expenditure not provided for in estimates.	\$100,000 per item
	Contractual Authority for expenditure provided for in estimates.	\$100,000 per item
	Contractual Authority for emergency expenditure not provided for in estimates.	\$100,000 per item
	Contractual Authority for expenditure provided for in estimates.	\$100,000 per item
	Activities to which contractual authority applies.	All activities
	Activities for which the officer is the Financial Manager.	Elected Representatives and CE's Department

Delegations to Staff – Contractual Authority and Activity Management cont

Staff Member	Item	Amount
Group Manager: District Assets	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Financial Manager. All other delegations as provided to the Financial Manager.	\$100,000 per item \$100,000 per item All activities Assets and Operations N/A
Group Manager: Corporate Services	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Financial Manager. All other delegations as provided to the Financial Manager	\$100,000 per item \$100,000 per item All activities Corporate Services Group N/A
Group Manager: Regulatory and Community Services	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Financial Manager. All other delegations as provided to the Financial Manager The return of any bond taken for the performance of a condition of consent	\$50,000 per item \$50,000 per item All activities Building Act N/A Full amount
Planning Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Financial Manager. All other delegations as provided to the Financial Manager.	\$50,000 per item \$50,000 per item All activities Resource Management N/A
Executive Assistant	Contractual Authority for emergency expenditure not provided for in estimates Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies.	\$5,000 per item \$5,000 per item Elected Representatives

Staff Member	Item	Amount
	Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	& Chief Executive's Department Elected Representatives & Chief Executive's Department N/A
People and Capability Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$10,000 per item Human Resources Human Resources N/A
CORPORATE SERVICES		
Finance Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$50,000 per item Accounting and Administrative Functions Accounting and Administrative Functions N/A
Information Technology Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$10,000 per item Information Technology Information Technology N/A
Strategy and Communications Advisor	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$2,000 per item Corporate Planning Corporate Planning N/A

Staff Member	Item	Amount
Information Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$10,000 per item Information Services Information Services N/A
DISTRICT ASSETS		
Transportation Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit Nil
Operations Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit N/A
Assets Manager	Contractual Authority for emergency expenditure not provided for in estimates.	Nil
	Contractual Authority for expenditure provided for in estimates.	\$50,000 per item
	Activities to which contractual authority applies.	Professional Services Business Unit
	Activities for which the officer is the Budget Manager.	Professional Services Business Unit

Staff Member	Item	Amount
	All other delegations as provided to the Budget Manager.	N/A
Facilities, Property and Compliance Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$5,000 Compliance \$5,000 Facilities Professional Services Business Unit Professional Services Business Unit N/A
REGULATORY AND COMMUNITY SERVICES		
Building Control Manager	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager. The return of any bond taken for the performance of a condition of a consent.	Nil \$10,000 per item Building Inspection Services Building Inspection Services N/A The full amount
Community Development Advisor	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$5,000 per item Community Development Community Development N/A
Museum Director	Contractual Authority for emergency expenditure not provided for in estimates. Contractual Authority for expenditure provided for in estimates.	Nil \$5,000 per item

Staff Member	Item	Amount
	Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Hokitika Museum Hokitika Museum N/A
Library Manager	Contractual Authority for emergency expenditure not provided for in estimates Contractual Authority for expenditure provided for in estimates. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. All other delegations as provided to the Budget Manager.	Nil \$5,000 per item District Library District Library N/A

28. Staff Delegations

28.1 Chief Executive

- Interpretations of the delegated authority of all officers.
- Appointed as Principal Administrative Officer for the purpose of the Local Government Act 2002 and other relevant legislation.
- As Principal Administrative Officer, authority to exercise all those powers and duties specified in Council's standing orders with respect to the Common Seal.
- Internet Banking Authority in conjunction with any one of the following:
 - Finance Manager
 - Accountant
 - Group Manager: Corporate Services
- Authority to operate Council's bank accounts in conjunction with any one of the following:
 - Finance Manager
 - Accountant
 - Group Manager: Corporate Services
- Authority to operate one Business Visa Card subject to:
 - A credit limit of \$10,000 on the Group Manager: Corporate Services' card
 - Card to be in the name of the Group Manager: Corporate Services.
- Statements are to be approved by the Chief Executive.
- Authority to issue press releases provided however that any such press releases shall not do anything whereby the goodwill and reputation of the Council may be prejudicially affected.
- Approval where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy.
- To assess and approve discounts or alternative payments owed to Council, where a case of financial hardship has been proven.
- The authority to issue warrants of appointment pursuant to Section 174 Local Government Act 2002,
 - appoint enforcement officers pursuant to Section 177 Local Government Act 2002,
 - appoint authorised officers pursuant to Section 222 of the Building Act 2004,
 - appoint enforcement officers pursuant to Section 371B of the Building Act 2004,
 - appoint officers pursuant to Section 11 of the Fencing and Swimming Pools Act 1987,
 - appoint officers under the Westland District Council bylaws,
 - appoint enforcement officers pursuant to Section 38 of the Resource Management Act 1991, and
 - appoint licensing inspectors pursuant to Section 197 of the Sale and Supply of Alcohol Act 2012.

28.1 Chief Executive cont.

- The Principal Administrative Officer shall hold the Common Seal of the local authority and be responsible for the use of the same.
- The Chief Executive or other officers authorised by them may affix the seal to any document and shall report to the Council at its next ordinary meeting as to the documents thus sealed.
- Authority to appoint a Risk Coordinator.
- The authority to sign any form of information, evidence or consent relating to matters of litigation.

28.2 General Delegations to Senior Managers

- Approval to carry forward annual leave for direct reports, of up to an accumulation of 10 days.
- Authority to direct officers to take leave if they have not reduced their excess annual leave.
- Authority to grant at their discretion, up to 10 days leave without pay in any one year to members of their staff. (Periods of leave in excess of 10 working days are to be referred to the Chief Executive).
- Authority to approve letters of offer and individual employment agreements provided the “appointment details form” has been completed and signed by the Chief Executive.
- Authority to approve merit promotions, accelerated increments, and double increments to members of their staff; provided however that such increased salaries are no more than the approved maximum for that position.
- Require bonds for any use of Council property under departmental manager’s control.

Where such is permitted by law and is not inconsistent with Council policy every manager may, in regard to matters within their jurisdiction, set, vary or waive fees or charges.

- Authority to issue such public notices as may be required from time to time by the Westland District Council, provided however that such public notices are issued under the name of the Chief Executive.
- Authority to issue press releases on activities for which the officer is the manager, provided however that any such press releases shall not do anything whereby the goodwill and reputation of the Council may be prejudicially affected.
- Authority to appoint staff within established limits, up to but excluding those reporting directly to managers.
- Authority to make any decision on applications for the erection of extensions of ancillary buildings that are licensed to occupy legal road, subject to applicants having a right of appeal to Council.
- The authority to sign any form of information, evidence or consent relating to matters of litigation.

28.3 Group Manager: Regulatory and Community Services

28.3.1 General Delegations:

- Authority to approve and issue and/or renew licences for trading in public places.
- Authority to approve and issue and/or renew Certificates of Registration for all premises to which the Health (Registration of Premises) Regulations 1996, refer.
- Authority to register, impound and destroy dogs. Authority to refund dog registration fees on the death of a dog and authority to remit registration fees or penalties where it would be just and equitable to do so.
- All of the functions, powers, duties and discretions of the Council pursuant to the Dog Control Act 1996.
- Authority to issue infringement notices pursuant to Section 66, Dog Control Act, 1996.
- Authority to issue permits for operations of an amusement device (Amusement Devices Regulations 1978, Regulation 11).
- Authority to issue Cleansing Orders (Section 41 Health Act 1956).
- Authority to carry out Disinfection of Premises (Section 81 Health Act 1956).
- Action under Section 183 Local Government Act 2002 in relation to removal of growth likely to constitute a fire hazard.
- Delegation of functions pursuant to Regulation 22 (1) Housing improvement Regulations 1947.
- Service of notices to occupiers of private land, to clear litter (Section 10, Litter Act 1979).
- Authority to issue notices pursuant to Section 29 of the Health Act 1956.
- Issue of demolition requisitions and enforcement of demolition orders under Section 48 and Section 51 of the Health Act 1956
- Issue of certificate pursuant to Sections 42 and 48 of the Health Act.
- Issue of repair notices under Section 42 of the Health Act.
- Authority to issue Certificates of Exemption pursuant to Regulation 6 of the Food Hygiene Regulations 1974 and Regulation 14 of the Camping Ground Regulations 1985.
- Power to refund fees in respect of any withdrawn applications in proportion to the remainder less cost incurred by the time of withdrawal.

- Authority to cancel a building line restriction pursuant to Section 327A of the Local Government Act, 1974 subject to all buildings being in conformity with the Operative District Plan.
- Authority to approve of the creation of a right of way pursuant to Section 348 of the Local Government Act, 1974.
- Authority to remedy contravention under the Forest and Rural Fires Act 1977 and to initiate proceedings to recover costs for such actions.
- Authority to file prosecutions for offences under the Forest and Rural Fires Act 1977.
- Authority to issue fire restriction notices and burning permits pursuant to the Forest and Rural Fires Act 1977.
- All the functions, powers and duties vested in Council pursuant to Council Bylaws.

NOTE: The may subdelegate any or all of the above.

- The power to remit fees and charges for volunteer or not-for-profit organisations. (Decisions to be reported back to the next meeting of Council.)
- Authority to affix the Common Seal in accordance with Clause 32.1 of this manual.

28.3.3 Planning Manager

Resource Management Act Delegations:

<ul style="list-style-type: none"> Regional Council Applications 	In conjunction with the Group Manager: District Assets to make a submission on any Resource Consent notified by the West Coast Regional Council and grant Section 95 approvals (affected persons).
<ul style="list-style-type: none"> Regional Council Plans 	To make a submission on any Plan or Policy Statement notified by the West Coast Regional Council.
<i>Guideline</i>	<i>It is anticipated that this delegation will be exercised on minor amendments and changes only. Any submission must be consistent with Council policy and any major change to a Plan or Policy Statement will be considered by the Council.</i>
<ul style="list-style-type: none"> Section 10 	The authority to grant a time extension to an existing use.
<ul style="list-style-type: none"> Section 36 	<p>The power to remit fees and charges for volunteer or not-for-profit organisations. (Decisions to be reported back to the next meeting of Council.)</p> <p>Ability to not perform an action to which a charge relates, until the charge has been paid in full.</p>
	Authority to approve of the reimbursement in part or full of a fee where an application is withdrawn and the processing costs are less than the Authority to adjust or write off any outstanding fees where it is determined that the fee requires adjustment or it is unreasonable or not possible to try and collect it.
<ul style="list-style-type: none"> Section 37 & 37A 	The power to waive and extend time limits.

28.3.2 Resource Management Act Delegations cont.

▪ Section 38	The authorisation as Enforcement Officer
▪ Section 41	The authority to direct that evidence be provided before the hearing, the authority for staff to direct certain procedural aspects of the hearing before the hearing and the authority to request a party who made a submission to provide further evidence before a hearing.
▪ Section 42	Protection of sensitive information.
▪ Section 42A	Authorisation to require the preparation of reports for each consent application.
▪ Section 87BA	To make determination on issuing permitted certificates for Boundary Activities.
▪ Section 87BB	To make determination on issuing permitted certificates for Marginal and Temporary Non-Compliances.
▪ Section 88	To make a determination on whether an application for a resource consent is complete or not and the reasons for that determination.
▪ Section 91	Deferral of application pending additional consents.
▪ Section 91C	To return applications that have remained on hold for a total of more than 130 working days.
▪ Section 92	To require further information to be provided or to commission a report before a Resource Consent Application is notified or heard and to postpone notification of a hearing.
▪ Section 92A	The authority for staff to set time limits on applications in circumstances outlined in the Act.
▪ Section 92A	The authority to set time limits for the receipt of further information.
▪ Section 95	The power to decide if an application for a Resource Consent should be limited notified or publicly notified.
▪ Section 95A	Authority to exercise the discretion to publicly notify an application.

28.3.2 Resource Management Act Delegations cont.

▪ Section 95B	Authority to determine affected persons and affected order holders and to give limited notification.
▪ Section 95C	Authority to publicly notify an application after a request for further information.
▪ Section 95D	Authority to determine if adverse effects are likely to be more than minor.
▪ Section 95E	Authority to determine if a person is an affected person if an activity's adverse effects are minor or more than minor.
▪ Section 99	The power to initiate pre-hearing meetings. The authority to decide if staff that have the power to make a decision on an application may attend and participate in a pre-hearing meeting.
<i>Guideline</i>	<i>This authority is subject to all parties agreeing.</i>
▪ Section 99A	The authority to appoint a person as a mediator where the Council is the consent applicant.
▪ Section 100	The power to determine that a formal hearing is not needed.
▪ Section 101	The power to fix a hearing date.
<i>Guideline</i>	<i>The fixing of a hearing date is to be undertaken in-so-far as possible with the applicant.</i>
▪ Section 102	The power to make a decision to establish a joint hearing.
▪ Section 103	Power to decide and arrange the holding of combined hearings where two or more applications are made to Council.
▪ Section 106	The authority for staff to decline an application in the circumstances outlined in the Act, i.e. adequate information not provided to enable the application to be determined.

28.3.2 Resource Management Act Delegations cont.

▪ Section 109	The power to decide whether any work subject of a bond or covenant is completed satisfactorily.
▪ Section 114	To determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application.
▪ Section 116	Exercise the discretion to support or oppose any application made to the Environment Court pursuant to Section 116 of the Resource Management Act 1991.
▪ Section 124	To permit an application to continue to operate pending determination of an application for a replacement consent as provided for in S124(b).
▪ Section 125	Power to extend the period in which a resource consent lapses.
▪ Section 126	The power to cancel unexercised consents.
▪ Section 127	The power to decide the circumstances when it would be unreasonable to seek written approval of other persons to the variation or cancellation of conditions.
▪ Section 128 to 132	Power to initiate review of condition of a resource consent and make a decision on the review.
▪ Section 133A	The authority to correct minor mistakes or defects in resource consent.
▪ Section 139	To issue or decline Certificates of Compliance.
▪ Section 139A	To issue an existing use certificate
▪ Section 176A	The waiving of the need for an outline Plan. The approval of Outline Plans and the request for changes to be made.
▪ Section 222	The power to issue a Completion Certificate.
▪ Section 223	The power to accept a survey scheme plan and provide authority to LINZ in Landonline.

28.3.2 Resource Management Act Delegations cont.

▪ Section 224	The power to verify all conditions of subdivision consent are met and provide authority to LINZ in Landonline.
▪ Section 226	The power to certify any survey plan or copy thereof to the effect that the subject land has not been subject to a previous statutory approval.
▪ Sections 227, 240 and 241	To cancel in whole or in part prior approvals or Certificates requiring the amalgamation of allotments.
▪ Section 234	Power to vary or cancel an esplanade strip.
▪ Section 243	The revocation of conditions as to easements.
▪ Section 310 & 311	To apply to the Environment Court for a declaration.
▪ Section 314	To apply to the Environment Court for an enforcement order.
▪ Section 316 & 320	Power to apply for enforcement order or interim enforcement order.
<i>Guideline</i>	<i>The need for legal advice should be considered on each occasion.</i>
▪ Section 322	Power to serve abatement notices.
▪ Section 323	To act as and allow an enforcement officer to take appropriate action to reduce noise to a reasonable level or seize equipment to ensure compliance with an abatement notice.
▪ Section 325A	To cancel or confirm an abatement notice or approve a request for change or cancellation of an abatement notice.
▪ Sections 327 & 328	To act as and allow an enforcement officer to give a directive to reduce excessive noise and take action to control the excessive noise
▪ Section 330	In the case of emergency work, power to take preventative or remedial action
▪ Sections 332 & 333	Power of entry for inspection survey, collect samples

28.3.2 Resource Management Act Delegations cont.

<p><i>Guidelines</i></p>	<p><i>Section 323</i> <i>An enforcement officer must be accompanied by a constable when equipment is seized and impounded.</i></p> <p><i>Section 333</i> <i>Under this section the officer may undertake surveys for any purposes connected with the preparation, change or review of a policy statement or plans. In this case reasonable written notice shall be given to the occupier before entering the land. Warrants must be shown and written authorisations produced upon initial entry. As the Act is quite explicit it is not considered that any additional guidelines are required.</i></p> <p><i>Under section 332 of the Act staff may enter onto a property but not enter a dwelling house to determine whether or not:</i></p> <ul style="list-style-type: none"> <i>(a) The Act, rules, consent etc, are being complied with;</i> <i>(b) An enforcement order etc, is being complied with; or</i> <i>(c) Any person is contravening a rule in a plan in a manner prohibited by specific sections of the Act.</i>
<ul style="list-style-type: none"> ▪ Section 336 	<p>The power to consider an application to return seized property.</p>
<ul style="list-style-type: none"> ▪ 1st Schedule - Clause 5 	<p>The power to decide on whom public notice shall be sent in relation to the Proposed District Plan or a change thereto and to arrange public notification of that proposal.</p>
<ul style="list-style-type: none"> ▪ 1st Schedule - Clause 7 	<p>The power to summarise submissions made in respect of a Proposed District Plan or a change thereto.</p>
<ul style="list-style-type: none"> ▪ Section 99A 	<p>The authority to refer a person to mediation.</p>

28.3.2 Resource Management Act Delegations cont.

<ul style="list-style-type: none"> ▪ Section 104A ▪ Section 104B ▪ Section 104C ▪ Section 104D ▪ Section 106 ▪ Section 108 ▪ Section 220 	<p>To approve applications for resource consents, including determining conditions for;</p> <p><u>Controlled</u> activities, Restricted discretionary activities, discretionary activities and Non-complying activities;</p> <p>where non-notified or where notified and:</p> <ul style="list-style-type: none"> - no submissions are received; or - no request is made for a hearing; or - the need for a hearing has been adverted by a submission being withdrawn.
<i>Guideline</i>	<i>The Act requires all applications to be notified unless specific circumstances provided for in the Act are met</i>
<ul style="list-style-type: none"> ▪ Section 127 	<p>Power to change or cancel a consent condition.</p> <p>The power to decide the circumstances when it would be unreasonable to seek written approval of other persons to the variation or cancellation of conditions.</p>
<ul style="list-style-type: none"> ▪ Section 168A 	To consider and make a decision on any Requirement for a Designation which does not require a hearing.
<ul style="list-style-type: none"> ▪ Section 171 	To consider and make a recommendation to any requiring Authority on any Requirement for a Designation which does not require a hearing.
<ul style="list-style-type: none"> ▪ Section 181 	To consider and make decisions on any application to alter an existing designation.
<ul style="list-style-type: none"> ▪ Section 221 	Power to issue and cancel a consent notice.
<ul style="list-style-type: none"> ▪ Section 223 	To approve any survey plan.
<ul style="list-style-type: none"> ▪ Section 224 	Authority to certify compliance as an 'authorised officer' with specified conditions prior to deposit of survey plan.
General	The authority to sign a form of consent or other document to be lodged with the Environment Court relating to resource consents.

<i>Guideline</i>	<i>The need for legal advice should be considered on each occasion.</i>
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28.3.3 Sale and Supply of Alcohol Act 2012 Delegations:

To act as Secretary of the District Licensing Committee.

NOTE: The Group Manager: Regulatory and Community Services may subdelegate any or all of the above.

28.3.4 Building Act Delegations:

All of the functions, powers, duties and discretions of the Council pursuant to the Building Act 1991 and the Building Act 2004 and Building Codes issued pursuant to them.

NOTE: The Group Manager: Regulatory and Community Services may subdelegate any or all of the above.

28.4 Group Manager: Corporate Services

- Authority to institute legal proceedings for recovery of debts owed to Council.
- Authority to remit penalty on rates in respect to any particular ratepayer and ratepayers in the circumstances when the officer considers it would be just and equitable to do so. In all instances the amounts shall not exceed delegation. All penalties written off to be reported back to Council once a year.
- Authority to deposit surplus general funds with any bank and to invest special funds in any manner authorised by the Trustees Act and within the Audit Office and Council policy.
- Authority to negotiate loan interest rates and terms with brokers and/or lending institutes for loans raised by Council.
- The writing off of bad debts considered to be bad or uncollectable up to the value of delegated authority. All debts to be written off to be reported back to Council once a year.
- Arrange overdraft facilities up to statutory limit.
- Make or take any oath or declaration in regard to Council's financial affairs.
- Enter into any arrangements for payment of a debt owed to Council over a period.
- In consultation with the Group Manager: District Assets, discontinue any service for non-payment and authorise resumption of service where appropriate.
- Amend any entries in the valuation roll or the Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances.
- Authority to apply to the Valuer General for valuation equalisation certificates for rating purposes.

NOTE: The Group Manager: Corporate Services may subdelegate any or all of the above to the Finance Manager.

- Internet Banking Authority in conjunction with any one of the following:

- Chief Executive
 - Finance Manager
 - Accountant
- Authority to operate a Council Business Visa Card as approved by the Chief Executive.
 - Authority to operate Council's bank accounts in conjunction with any one of the following:
 - Chief Executive
 - Finance Manager
 - Accountant

28.5 Finance Manager

- Authority to institute legal proceedings for recovery of debts owed to Council.
- Authority to remit penalty on rates in respect to any particular ratepayer and ratepayers in the circumstances when the officer considers it would be just and equitable to do so. In all instances the amounts shall not exceed \$500. All penalties written off to be reported back to Council once a year.
- Authority to deposit surplus general funds with any bank and to invest special funds in any manner authorised by the Trustees Act and within the Audit Office and Council policy.
- Authority to negotiate loan interest rates and terms with brokers and/or lending institutes for loans raised by Council.
- The writing off of bad debts considered to be bad or uncollectable up to the value of \$200. All debts to be written off to be reported back to Council once a year.
- Arrange overdraft facilities up to statutory limit.
- Make or take any oath or declaration in regard to Council's financial affairs.
- Enter into any arrangements for payment of a debt owed to Council over a period.
- In consultation with the Group Manager: District Assets, discontinue any service for non-payment and authorise resumption of service where appropriate.
- Amend any entries in the valuation roll or the Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances.
- Authority to apply to the Valuer General for valuation equalisation certificates for rating purposes.

NOTE: The Finance Manager may subdelegate any or all of the above to the Accountant.

- Internet Banking Authority in conjunction with any one of the following:
 - Chief Executive
 - Accountant
 - Group Manager: Corporate Services

- Authority to operate a Council Business Visa Card as approved by the Chief Executive.
- Authority to operate Council's bank accounts in conjunction with any one of the following:
 - Chief Executive
 - Accountant
 - Group Manager: Corporate Services

28.6 Group Manager: District Assets

- The powers conferred on the Council by clause 11 of the Tenth Schedule of the Local Government Act 1974 (temporary prohibition of traffic on roads.)
- Authority to remove motor vehicles which may be abandoned (Section 356 Local Government Act 1974).
- The closing of sports grounds as circumstances shall require from time to time.
- The granting of drainage easements over parks and reserves.
- Variation of the allocation of sports grounds, winter and summer.
- Temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable.
- Approval of applications to take up collections on reserves and beaches and Council owned public open spaces.
- Approval of the erection of commercial signs and sponsorship signs on sports parks, subject to other necessary approvals (i.e. CAA or Building Consents)
- Approval of temporary helicopter landing and take-off sites on parks and reserves, subject to other necessary approvals.
- Authority to issue notices to property owners and residents in area where works are to be carried out subject to any other statutory provisions.
- Authorise the planting or removal of trees from any reserve, street or other Council land.
- Approval of erection of directional signs.
- Authority to set fees and charges for inspections and repair of service authority trenches (i.e. utility providers), in conjunction with the Chief Executive.
- Fixing of charges within the limits imposed by the Reserves Act 1977, for the use of Council reserves in conjunction with the Chief Executive.
- All the functions, powers and duties vested in Council by virtue of the Jackson Bay Wharf Bylaw.
- The powers conferred on the Council by the Transport (Vehicular Traffic Road Closure) Regulations 1965.

- Power to carry out or authorise any relevant actions or procedures regarding market days and special functions in shopping areas.
- Authority to carry out or authorise any relevant actions or procedures regarding parades or processions, public entertainment and playing of Christmas Carols on streets and public places.
- Remission of burial charges pursuant to Section 49 of the Burial and Cremation Act 1964.

NOTE: The Group Manager: District Assets may subdelegate any or all of the above.

28.7 Privacy Officers

The following staff have been appointed as Privacy Officers by the Executive Team:

- People and Capability Manager
- Strategy and Communications Advisor
- Information Manager

Record of Previous Amendments to the Manual

Date Amended	Amendment	Clause	Page Reference
17 May 2006	Add Swimming Pool Manager	30.7	21
17 May 2006	Add Engineering Officer	30.7	21
2 April 2007	Add Consents and Planning Officer	30.7	23
2 April 2007	Amend “Land and Resources Officer” to “Waste Management and Resources Officer”	30.7	21
15 October 2008	Update Standing Committees	20	10
15 October 2008	Amend Planning and Regulatory General Delegations, Resource Management Act Delegations, Sale of Liquor Act Delegations and Building Act Delegations.	31.3	27-36
1 May 2009	Amend Community Services Officer Delegations	31.4	37
1 May 2009	Amend “General Manager” to “Chief Executive Officer”	Various	Various
1 May 2009	Update Standing Committees	20	10
1 May 2009	Update Committees (add Councillor Butzbach to Assets and Planning and Development Committees)	20	10
1 May 2009	Update Other Committees (Solid Waste Committee, add Hearings and Licensing Commissioners)	20.1	11
1 May 2009	Amend Jurisdiction of the Planning and Development Committee (Planning Meeting 7/08/08)	23	13
1 May 2009	Amend Jurisdiction of the Recreation and Community Services Committee (Recreation Meeting 28/10/08)	24	13
1 May 2009	Amend Jurisdiction of the Assets Committee (adding Civil Defence Emergency Management and Rural Fire) (Assets Meeting 20/11/08)	25	14
1 May 2009	Add Jurisdiction of the Solid Waste Management Committee	27	15
1 May 2009	Added Guidelines to Jurisdiction of the Commissioners	28	16
1 May 2009	Add Delegation to Manager Audit and Compliance	30.7	19
1 May 2009	Amend Audit and Finance Delegations (Staff Delegations) (Audit Meeting 9-04-09)	31	Various
6 August 2009	Amend “Managers’ Personal Assistant” to “Executive Assistant” in line with CEO’s changed title	19 & 30.7	9, 22
18 August 2009	Amend delegations to Manager Planning and Regulatory	30.7	19
18 August 2009	Remove Delegations to Events Coordinator and Assistant Events Coordinator due to WBU Structure	30.7	23, 24
18 August 2009	Amend Standing Orders	33	42
19 August 2009	Amend Staff Delegations Resource Management Act Delegations	32.7 33.2.1	19, 22, 23, 28-37
8 September 2009	Remove Delegations to Manager Audit & Compliance	30	19
14 September 2009	Add “All functions, powers and duties pursuant to the Resource Management Act 1991 <u>and not otherwise delegated</u> ,”		13
16 October 2009	Amend Part 29.1 by removing the phrase “Deputy Mayor Councillor Bryce Thomson” and replacing it with Councillor Allen Hurley – Council Meeting 15 October 2009	29.1	15

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
3 December 2009	Add new Clause d) and e) relating to Commissioners and appointment of a mediator – Planning and Development Committee Meeting – 3 December 2009	29.1	16
19 January 2010	Amend Resource Management delegations as per recent amendments to the Resource Management Act.	33.3.2	27-34
26 March 2010	Added “Information Technology” to Information Technology Officer’s delegations	32.7	21
6 April 2011	Update “Standing Committees”	20	11
6 April 2011	Update Listing of “Other Committees”	21	12
6 April 2011	Amend “Operations Manager” to “Group Manager – Assets & Operations” (Operations Department Restructure)	Various	Various
7 April 2011	Amend Swimming Pool Manager to Supervisor Pools (Operations Department Restructure)	29.7	26
7 April 2011	Amend Waste Management and Resources Officer to Development Control Officer (Operations Department Restructure)	29.7	26
7 April 2011	Amend Information Technology Officer to Supervisor IT Services (Operations Department Restructure)	29.7	26
7 April 2011	Amend Consents and Planning Officer to Consents Officer (Operations Department Restructure)	29.7	28
7 April 2011	Amend Community Liaison Officer to Community Development Officer (Operations Department Restructure)	29.7	28
2 May 2011	Increase delegations to Management Team and the Group Manager – Assets & Operations – Council Meeting 28 April 2011	32.7	22
2 May 2011	Amend Tender Procedures – Part V Miscellaneous – Council Meeting 28 April 2011	34	45-46
28 March 2012	Amend “four” Senior Managers to “three” Senior Managers	1.1	4
28 March 2012	Remove reference to Manager Audit and Compliance (Council Restructure)	1.1	
28 March 2012	Update Performance Management Committee Members	20	11
28 March 2012	Amend reference to “LTCCP” to “LTP”	25.3, 25.5	16
28 March 2012	Amend delegation of Development Control Officer to Planning Engineer – (Operations Department staffing)	29.7	25
28 March 2012	Amend reference from “Consents Officer” to “Planner” – (Planning and Regulatory staffing)	29.7	27
28 March 2012	Update delegations to the Chief Executive Officer - instructions from Council Meeting – 22.03.12	30.1	28
28 March 2012	Update delegations to the Chief Executive Officer – Authority to update Warrants of Appointments	30.1	29
28 March 2012	Update reference from “Planning and Development Committee” to “Strategy Committee”	30.3.2	31, 36
24 July 2012	Include delegations to “Community Services Team” due to restructure process.	29.7	30-31

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
24 July 2012	Update the Executive Team listing	1.1 a)	5
16 August 2012	Include a delegation for the Conduct Review Committee	20	12, 27
16 August 2012	Include the Terms of Reference for the Committees	24-27	16-26
16 August 2012	Update Delegations to Staff	29.7-30.6	28-54
16 August 2012	Remove Tender Procedures	31	55
16 August 2012	Remove Standing Orders	32	56
23 August 2012	Add reference to Council Bylaws	30.3.1	43
18 December 2012	Amend reference from Chief Executive Officer to “Chief Executive” – Risk Committee Meeting 20.11.12	Various	Various
18 December 2012	Amend reference from CEO to “CE” (Risk Committee Meeting - 20.11.12)	Various	Various
18 December 2012	Amend reference to Credit Card (internal policy change)	31.1 31.5	41 54-55
18 December 2012	Remove reference to “him”	31.1	42
18 December 2012	Add paragraph to Chief Executive and Departmental Managers regarding litigation	31.1	42
18 December 2012	Remove reference to property rentals	31.2	42
18 December 2012	Amend right of way clause (Risk Committee Meeting – 20.11.12)	31.3.2	45
7 February 2013	Part IV - Resource Management Act Delegations - Add reference to the Manager Planning and Regulatory’s delegation to exercise the discretion to support or oppose any application made to the Environment Court (Council Meeting 24.01.13)	Part IV 31.3.2	47
7 February 2013	Part III - Elected Members Expenses – Add reference to the Elected Members Expenses for the Mayor, Chairperson of the Performance Management Committee and the Deputy Mayor (Council Meeting 24.01.13)	Part III Clause 30	29
7 February 2013	Part IV – Delegation to Staff – Remove reference to “non-capital” from staff delegations. (Council Meeting 24.01.13)	Part IV Clause 30.7	31-39
7 February 2013	Part IV – Delegation to Staff – Add a reference to the credit card for the iSite Manager’s Delegation (Council Meeting 24.01.13)	Part IV Clause 30.7	34
7 February 2013	Part IV – Delegation to Staff - Add “Authority to operate two Business Visa Cards” (Council Meeting 24.01.13)	Part IV Clause 31.1	40
7 February 2013	Part IV – Delegation to Staff - Amend reference to the Finance Manager’s Delegation to operate a Business Visa Card (Council Meeting 24.01.13)	Part IV Clause 31.5	54
28 February 2013	Part IV – Delegation to Staff – Add reference to Acting Group Manager – Corporate Services’ Delegations (Council Meeting 28.02.13)	Part IV Clause 31.7	32
12 July 2013	Part 1 – Glossary – Amend reference to Executive Team (CE’s Staff Review 12.07.13)	Part 1	5

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
12 July 2013	Amend Reference from “Chief Financial Officer” to Finance Manager (CE’s Staff Review 12.07.13)	Various	Various
12 July 2013	Part IV – Delegations to Staff – Remove “Finance Manager” from “Executive Team” Listing to the Table on Page 33 (CE’s Staff Review 12.07.13)	Part IV Clause 31.7	31
12 July 2013	Amend reference from “Group Manager – Assets and Operations” to “Group Manager: District Assets” (CE’s Staff Review 12.07.13)	Various	Various
03.02.14	General Amendment - Amend reference from “Manager: Planning and Regulatory) to “Group Manager: Planning, Community and Environment) CE’s Staff Review.	1, 31.7, 32.1, 32.3.2, 32.3.3, 32.3.4, 32.4	6, 43, 51, 60, 63, 64
03.02.14	Delegations to Committees - Remove reference to Performance Management Committee, Strategy Committee, Operations Committee, Risk Management Committee and Conduct Review Committee (Council Meeting 28.11.13)	20, 22	13-14-15
03.02.14	Delegations to Committee - Add reference to “Executive Committee” (Council Meeting 28.11.13)	20, 22	13-14-15
03.02.14	Hearings Commissioners - Amend reference from “Hearings and Licensing Commissioners” to “Resource Management Hearings Commissioners” (Council Meeting 28.11.13)	21	15-16
03.02.14	Delegations to Standing Committees - Update reference from Long Term Council Community Plan to Long Term Plan (grammatical)	22	15
03.02.14	Delegations to Standing Committees - Remove Terms of Reference for Performance Management Committee, Strategy Committee, Operations Committee, Risk Management Committee (Council Meeting 28.11.13)	24, 25, 26, 27	16-28
03.02.14	Delegations to Other Committees - Remove reference to “Conduct Review Committee” – ceases to exist	28	29
03.02.14	Executive Committee - Add Terms of Reference to the Executive Committee	24	30-35
03.02.14	Elected Members Expenses - Remove reference to Chairperson of Performance Management Committee and remove paragraph relating to Deputy Mayor (Council Meeting 28.11.13)	30	37
03.02.14	Delegations to Staff – Executive Team meeting noted that Executive Team Delegations had not been carried through the Manual due to an administrative error.	31.7	39
03.02.14	Delegations to Staff - Amend reference from Acting Group Manager Corporate Services to Group Manager: Corporate Services (permanent appointment made to position)	31.7	43
03.02.14	Delegations to Staff - Remove reference to Community Development Officer (restructure of Community Development/Community Services)	31.7	45

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
03.02.14	Delegations to Staff - Amend reference from Community Services Officer to Community Development Officer (restructure of Community Development/Community Services 18.10.13)	31.7	46
03.02.14	Delegations to Staff - Amend reference from Team Leader – Operations to Operations Manager, Field Inspections Officer (previously Contracts Supervisor), Property and Projects Supervisor (previously Engineering Officer), Engineer Water Services (previously Supervisor 3 Waters), Solid Waste Engineer (previously Development Control Officer) - (District Assets Reorganisation 05.12.13),	31.7 & 28.7	47 26-27
03.02.14	Delegations to Staff - Amend reference of Planning Engineer (incumbent resigned) to Development Control Engineer 21.11.13)	31.7	48
18.02.14	Delegations to Staff (Group Manager: Planning, Community and Environment) – clarify resource management powers	32.3.2	?
03.02.14	Business Visa Cards – Amend reference to iSite Manager's Visa Card only increased to \$10,000. No increase to Finance Manager's delegation (Council Meeting 28.11.13)	32.1	51
03.02.14	Sale of Liquor Act Delegations – Amend reference to Sale of Liquor Act Delegations (Council Meeting 28.11.13) and replace with references to Sale and Supply of Alcohol Act 2012 along with relevant provisions (Council Meeting 27.02.14)	32.3.3	63
18.02.14	Resource Management Hearing Commissioners – Amend to reflect situation where no Councillors are accredited hearing commissioners; also reference to District Licensing Committee as per Sale and Supply of Alcohol Act 2012 (Council Meeting 27.02.14)	21, 29, 30	15-16
20.08.14	Delegations to Staff – Update references to Job Titles of Staff Members –Events Coordinator (previously Events Manager), Assistant Events Coordinator (previously Wildfoods Festival Assistant), Museum Director (previously Museum Manager).	28.7	25-26
21.08.14	Delegations to Staff – Change amount of Delegation of Wildfoods Festival Coordinator – reduced from \$15K to \$10K by CE when Fixed Term Position was developed.	28.7	24
20.11.14	Delegations to Staff – Add a delegation to the Corporate Planner via email from Jim Ebenhoh, effective 20 November 2014.	28.7	32
16.02.15	Delegations to Staff – Add a delegation to the Emergency Management Officer via email from Tanya Winter, effective 16 February 2015.	28.7	26
26.03.15	Update Terms of Reference for the Executive Committee as per Amendments and Readoption at the Council Meeting on 26 March 2015.	20 & 24	15-21

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
29.06.15	Delegation to Ashley Cassin, Project Manager, West Coast Wilderness Trail via email from Tanya Winter and Peter Anderson, effective 29 June 2015 to 30 October 2015.	28.7	26
10.08.15	Delegations to Staff – Add a delegation to the Acting District Building Inspector via email from Jim Ebenhoh, effective 10 August 2015 to the 20 November 2015.	28.7	31
10.08.15	Delegations to Staff – Add a delegation to the Asset Management Planner via email from Vivek Goel, effective 25 August 2014.	28.7	29
10.08.15	Delegations to Staff – Add a delegation to the Environmental Health/Regulatory Officer via email from Jim Ebenhoh, effective 26 January 2015.	28.7	31
10.08.15	Delegations to Staff – Increase a delegation to the Operations Manager via email from Vivek Goel, effective from new staff appointment 1 October 2015.	28.7	28
10.08.15	Change to Title of Solid Waste Engineer to Solid Waste and Development Control Officer – effective from staff appointment 16 November 2015.	28.7	29
01.10.15	Increase in delegation for Transportation Officer from \$20,000 to \$50,000	30.7	25
07.04.16	Delegations to Staff – Change of Titles as follows: “iSite Manager” to “Customer Service Manager” Corporate Planner from the Planning, Community & Environment Group to the Corporate Services Group “District Librarian” to “Library Manager” “District Building Inspector” to “Building Control Manager” Acting District Building Inspector – removed as no longer applicable “Compliance Officers” to “Building Control Officers” & “Building Control and Quality Officer”	28.7 28.7 28.7 28.7 28.7 28.7	27 27 30 30 31 31
07.04.16	Staff Delegations - Change of Titles as follows: “Assistant Accountant” to “Accountant”. “iSite Manager” to “Customer Service Manager”	29.1 & 29.4 29.1	33, 36 & 44 33
11.07.16	Amend reference from “Supervisor IT Services” to “Information Services Manager”.	28.7	27
09.08.16	Increase delegation of Museum Director and Library Manager from \$2,000 to \$5,000	28.7	30
15.10.16	Delegations to Staff – Add a delegation to the HR Advisor as per signed Position Description in IEA	28.7	25
31.10.16	Amend reference from “Operations Manager” to “Transportation Manager”	28.7	27
31.10.16	Amend reference from “Field Inspections Officer” to “Transportation Officer”	28.7	27

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
24.11.16	Update to Terms of Reference – Standing Committee of Council – Finance, Audit and Risk Committee. Council Resolution of the 24.11.16	24	17
24.11.16	Financial Delegations to the Chief Executive Council put in place a \$5,000 cap on consultant spend and legal fees in the organisation, trialled on a 6 months basis, with any spend in excess of \$5,000 to be referred to the Mayor and Chair and of the Finance, Audit and Risk Committee. Council Resolution of the 24.11.16		
19.04.17	Increase delegation of Information Services Manager from \$5,000 to \$10,000	28.7	26
27.04.17	Financial Delegations to the Chief Executive The Council Resolution of the 24 November 2016 was revoked and the Consultant Spend and Legal Fees cap of \$5,000 was removed.		
23.05.17	Amend reference from “District Planner” to “Planning Manager”	28.7	31, 41
09.06.17	Add a subdelegation clause as per Pages 42 and 43 noting that the Group Manager: Planning, Community and Environment may subdelegate.	29.3	35
12.06.17	Credit Card Policy Amend reference from “Finance Manager” to “Group Manager: Corporate Services” as per email from Group Manager: Corporate Services	29	32
27.06.17	Amend reference from “Wildfoods Festival Coordinator” to Event Manager: Hokitika Wildfoods Festival	28.7	30
03.07.17	Amend reference from “Corporate Planner” to “Strategy and Communications Advisor” once new staff member commences employment in role.	28.7	26
18.12.17	Include Terms of Reference for the Dog Control Hearing Committee as adopted by Council 28.09.17	25	20
18.12.17	Add Delegation from Chief Executive to Group Managers to approve Letters of Offer and Individual Employment Agreements – Exec Team outcome.	30.2	34
18.12.17	Increase credit limit of Group Manager: Corporate Services’ card to \$10,000 to reflect actual spending limit	30.1	33
18.12.17	Amend reference from “Customer Service Manager” to “iSite Manager” to reflect split of Customer Service from the Hokitika iSite.	29.7 30.1	27 33
27.04.18	Terms of Reference – Tenders Committee – Council Resolution 26.04.18	26	22
21.05.18	Amend reference licence “Activities for which the officer is the Financial Manager” for Planning Manager, Building Control Manager and Environmental Health/Regulatory Officer – Refer email from Jim Ebenhoh 06.04.18	30.7	35
21.05.18	Amended reference from “Building Inspection Services” to “Building Control”, “Pensioner Flat Maintenance &	30.7	34

Date Amended	Amendment	Clause	Page Reference
	Building Inspection Services” to “Building Control” – Refer email from Jim Ebenhoh 06.04.18		
21.05.18	Added “Alcohol Licensing” to the list for Environmental Health/Regulatory Officer – Refer email from Jim Ebenhoh 06.04.18	30.7	34

Record of Previous Amendments to the Manual cont.

Date Amended	Amendment	Clause	Page Reference
21.05.18	Remove “Civil Defence” and “Rural Fires” from Transportation Officer – Refer email from Jim Ebenhoh 06.04.18	30.7	31
22.05.18	Add “Operations Manager” with delegated authority of \$50,000. Authorised by the Chief Executive via email 22.05.18.	30.7	31
21.08.18	Terms of Reference: Finance, Audit and Risk Committee – Updated at the Council Meeting 26.07.18	24	23
28.11.19	Amendments to the Manual after the Triennial Elections, including: <ul style="list-style-type: none"> • Council Committees and Sub-Committees • Hearings Commissioners • RMA Hearings Advisors • Commissioner Accreditation • Delegations to Staff in line with new positions and changes to existing positions in the organisation (addition of delegation to Capital Projects Manager) • RMA Delegations 	20 21 27 27 30.7 31.3.3	17 17 18 18 21-28 34
17.02.20	Increase in delegation to Building Control Manager from \$5,000 to \$10,000 as per request from Simon Bastion dated 16.02.20.	27.7	26
27.02.20	Include Terms of Reference for Standing and Subcommittees to Part III of the Delegations Manual – “Delegations to Standing Committees”	20	9
04.09.20	Appointment of Privacy Officers: <ul style="list-style-type: none"> - People and Capability Manager - Strategy and Communications Advisor - Business Analyst 	28.6	43
14.10.20	New delegation level for the role of Engineering Assistant.	27.7	25
21.10.20	Decrease in delegation for the People and Capability Manager from \$50,000 to \$10,000.	27.7	23